



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219 2000

Charles A. Kilpatrick, P.E.
Commissioner

July 8, 2016

Ms. Julie V. Langan, Director
ATTN: Mr. Marc Holma
Office of Review and Compliance
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221

Project Description: Hampton Roads Crossing Study, SEIS
Project Number: 0064-965-081, P101
UPC: 106724
DHR File No. 2015-0783
City/County: Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Suffolk

Dear Ms. Langan:

On April 1, 2016, the Virginia Department of Transportation (VDOT) conveyed to your department the results of our efforts to identify historic properties within the Area of Potential Effects for the Hampton Roads Crossing Study. In that documentation we noted a few properties that were not surveyed for the project because the property owners had denied access.

Since April, VDOT's consultant has surveyed two of these properties and associated structures:

- 121-0084 Pier 15, located on Harbor Road, City of Newport News, and
- 122-0334 Sewell's Point Docks, City of Norfolk
 - 122-0334-0001 (Pump House)
 - 122-0334-0002 (Gear House)
 - 122-0334-0003 (Office Building)
 - 122-0334-0004 (Warehouse G)
 - 122-0334-0005 (Pier B)
 - 122-0334-0006 (Pier A)
 - 122-0334-0008 (Grain Elevator)
 - 122-5947 (Washroom/Locker House)
 - 122-5948 (Ejector Station)
 - 122-5949 (Pump House)
 - 122-5950 (Utility Building)

- o 122-5951 (Guard House)

Ms. Sarah Clarke will be hand-delivering for your review the documentation our consultant has prepared on these resources, including hard copies of the V-CRIS forms prepared or updated by our consultant, black and white photographic prints, and electronic copies of the V-CRIS forms and photographic documentation.

VDOT has reviewed the results of our consultant's survey and agrees with the consultant's recommendation that none of these architectural resources, either individually or collectively, are eligible for listing on the National Register of Historic Places under Criteria A, B, or C. Criterion D was not considered applicable to these architectural properties. VDOT invites your department to indicate your concurrence with this finding within 30 days of receipt of this letter by completing the signature block below.

Thank you for your assistance. Please don't hesitate to contact me at ME.Hodges@VDOT.Virginia.gov or by telephone at 804-786-5368 if you have any questions about these resources or the HRCS project as a whole.

Sincerely,



Mary Ellen N. Hodges
District Preservation Program Coordinator

Enclosures (hand-delivered)

Project Description: Hampton Roads Crossing Study, SEIS

Project Number: 0064-965-081, P101

UPC: 106724

DHR File No. 2015-0783

The Virginia Department of Historic Resources concurs with the Virginia Department of Transportation's determination that the following resources are not eligible for listing on the National Register of Historic Places either individually or collectively:

- 121-0084 Pier 15, located on Harbor Road, City of Newport News, and
- 122-0334 Sewell's Point Docks, City of Norfolk
 - 122-0334-0001 (Pump House)
 - 122-0334-0002 (Gear House)
 - 122-0334-0003 (Office Building)
 - 122-0334-0004 (Warehouse G)
 - 122-0334-0005 (Pier B)
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 - 122-0334-0008 (Grain Elevator)
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 - 122-5948 (Ejector Station)
 - 122-5949 (Pump House)
 - 122-5950 (Utility Building)
 - 122-5951 (Guard House)

Julie V. Langan, Director
Virginia Department of Historic Resources
Virginia State Historic Preservation Officer

Date



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1096

Executive Office

JUN 29 2016

Ms. Angel Deem
Environmental Division Director
Virginia Department of Transportation
1401 East Broad Street
Richmond, Virginia 23219-2000

Dear Ms. Deem:

I am replying to your letter, dated April 29, 2016, regarding the Hampton Roads Crossing (HRC) Study Supplemental Environmental Impact Statement (SEIS), which the Virginia Department of Transportation (VDOT) is preparing in conjunction with the Federal Highway Administration (FHWA) and other agency and stakeholder partners. In your letter, you request comments from the U.S. Army Corps of Engineers (USACE), Norfolk District, in accordance with our role as a National Environmental Policy Act (NEPA) "cooperating agency" for the SEIS. Specifically, you have requested comments on how the USACE might evaluate, pursuant to Section 14 of the Rivers and Harbors Act of 1899, 33 USC 408 (Section 408), the impacts of the proposed HRC project alternatives on USACE federally authorized civil works projects.

As interpreted by agency policy, Section 408 prohibits the alteration of federally authorized USACE civil works projects unless the acting party obtains USACE permission prior to making the alteration. The USACE may grant such permission where it determines that the proposed alteration will neither impair the usefulness of the civil works project nor be injurious to the public interest. The USACE has published Section 408 guidance in Engineer Circular (EC) 1165-2-216, "Policy and Procedural Guidance for Processing Requests to Alter US Army Corps of Engineers Civil Works Projects Pursuant to 33 USC 408," which provides the policy and procedural guidance for Section 408 requests.

The four proposed HCR project alternatives, identified in the Alternatives Technical Report (ATR) as "A," "B," "C," and "D," would have varying impacts on the federally authorized Norfolk Harbor and Channels Federal Navigation Project (the Norfolk Harbor Project). The Norfolk Harbor Project includes the channel elements of Channel to Newport News, Sewells Point Anchorage, Newport News Anchorage, and the Craney Island Dredged Material Management Area (CIDMMA).

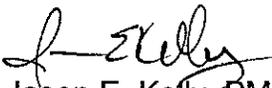
While the enclosed document provides our preliminary Section 408-related comments and concerns in accordance with our role as a NEPA cooperating agency, we stress that the ATR for the HRC Project does not provide sufficient detail and information to make a Section 408 determination. Section 408 review can be

accomplished for this project once the plans have been developed to a sufficient level for our assessment of potential effects to our operation of Craney Island. EC 1165-2-216 indicates that plans should be developed to at least 60% completion in order to provide the level of detail necessary for Section 408 review of a proposal.

A copy of this letter, with enclosure, has been provided to Mr. Jim Utterback and Mr. Scott Smizik, with VDOT and Mr. Ed Sundra, with FHWA.

My staff will be happy to continue coordination on this project to assist in addressing these concerns for potential impacts to federally authorized civil works projects. If you require further information, please do not hesitate to contact Mr. Gregory C. Steele, P.E., Chief, Water Resources Division, at (757) 201-7764.

Sincerely,


Jason E. Kelly, PMP
Colonel, U.S. Army
Commanding

Enclosure

Norfolk District Corps of Engineers
Comments on the Hampton Roads Crossing Study (HRCS)
Alternatives Technical Report

1. Alternatives C and D for the HRCS surround and traverse Craney Island Dredged Material Management Area (CIDMMA) and alter the facility in the following manner:

a. The alternatives obstruct and restrict navigation to the CIDMMA. Obstructed or restricted navigable access will impair the ability of the Corps to maintain and operate CIDMMA and federal navigation channels and anchorages. Proposed alterations to the project will impact facility operation and maintenance, facility construction, contract performance periods, and result in increased costs to the Federal government and users of CIDMMA through increased tolls to deposit dredged material.

b. The proposed vertical clearance will restrict navigable access to the facility. The HRCS Supplemental Environmental Impact Statement (SEIS) Alternatives Technical Report provided to the Corps, indicates a vertical clearance for all bridge crossings of 18-feet relative to North American Vertical Datum of 1988 (NAVD 88). Restricted vertical clearance will prohibit delivery of construction materials and equipment and limit the type of vessels calling on the facility including Corps vessels and contractor vessels (i.e., tugs, derricks, barges, and cranes). The Corps will require continued unconstrained navigable access to the CIDMMA.

2. Alternatives B, C, and D traverse the east side of the CIDMMA. Proposed vertical clearance of bridge crossings on the facility will restrict access for vessels using the Craney Island Rehandling Basin (CIRB) bulkhead facility and construction lay-down area. As currently proposed cranes and similar equipment would be required to break-down and re-erect to clear the Virginia Port Authority rail and the proposed Hampton Roads Crossing (HRC) bridge structures. Proposed alterations to the project will impact facility operation and maintenance, facility construction, contract performance periods, and result in increased costs to the Federal government and users of CIDMMA through increased tolls to deposit dredged material.

3. Alternatives B, C, and D traverse the east side of the CIDMMA and propose to take land in the existing south containment cell. Relocation and reconstruction of the containment dike to the west will impair and reduce the long-term capacity of the CIDMMA. It is anticipated that the reduction of acreage within the containment cell will result in significant loss of capacity and associated lifespan of the south cell containment area. Any proposed excavation and re-deposit of south cell dredged material into containment cells from site work in the area will further reduce long-term capacity. Redeposit of excavated dredged material located in the south containment cell will require an evaluation to determine if the material may be redeposited at the CIDMMA. Additionally, any excavated material proposed for redeposit into CIDMMA may require evaluation and testing to insure the material meets Clean Water Act (CWA) and facility requirements. Additionally, relocation and reconstruction of the containment dike to the west may render the cell unable to accept dredged material for many years.

4. Alternatives B, C, and D will restrict dredge pipeline alignments for dredged material placement operations during maintenance of Federal navigation channels. Access for pipelines and tender vessels will be required at multiple locations under bridge structures. Perpetual easements for dredge pipelines will be required for alignments along proposed bridge structures. Constraining dredge pipeline alignments for dredged material placement operations at CIDMMA will result in increased costs to the Federal government and users of CIDMMA. Construction methods for the HRC project will need to be performed in a manner that minimizes impacts to Corps contractor's ability to install and maintain submerged and floating pipelines and ancillary equipment supporting maintenance dredging of Federal navigation channels and anchorages.

5. Alternatives B, C, and D will eliminate contractor lay-down area located at the CIRB bulkhead. Loss of the contractor lay-down area will require an alternate location for contractor access and lay-down area. It should be noted that lay-down areas provided to the north of the CIRB will require significant maintenance due to elevated land subsidence of the areas northward. This will result in increased costs to the Federal government through additional maintenance and to contractors who will not have access or lay-down areas proximate to operations at the bulkhead facility.

6. Alternatives B, C, and D will have impacts to United States Government property. Real estate coordination and real estate instruments will be required to construct the project on government property. Perpetual easements will need to be provided to support maintenance dredging, dredged material placement operations, and facility maintenance and construction.

7. Alternatives A, B, C, and D will each have tunnel elements that impact multiple Federal navigation channels and anchorages. Tunnel clearances in the Federal navigation channels will need to meet or exceed the clearance of the existing Hampton Roads Bridge Tunnel (HRBT). Tunnels will need to be protected to withstand all potentially foreseen impacts from navigational emergencies and dredging operations. Tunnel armament and depth must consider spud and anchor embedment depths and potential vessel strikes.

8. Alternatives A, B, C, and D will have impacts to designated Federal project anchorages. Construction methods and scheduling for project construction including any proposed use of Federal navigation anchorages during construction will need to be performed in a manner that minimizes impacts to navigation to a level acceptable to the navigation community. Loss of anchorage areas will reduce anchorage capacity, availability, and reduce vessel scheduling, access, and maneuverability.

9. Alternatives B, C, and D will have impacts to navigation and operations during construction of the project. Construction methods and scheduling for the project, especially features crossing navigation channels and facilities, will need to be performed in a manner that minimizes impacts to navigation to a level acceptable to the navigation community.

10. Alternatives B, C, and D will have impacts to maintenance and construction on the CIDMMA facility. Construction methods and scheduling for the HRC project will need to be performed in a manner to minimize impacts to dredging, dredged material placement operations, facility maintenance, and construction to a level that accommodates timely dredged material placement by the Corps and other stakeholders using the facility. HRC construction on CIDMMA will need to be performed to not interfere with containment dike raising, dredged material borrow operations, and construction and maintenance of other facility infrastructure.

11. Alternatives B, C, and D propose to construct a roadway adjacent to an existing utility corridor on CIDMMA. The project design and construction will need to be performed to ensure the stability and differential loading and movement that may result on the utilities (i.e., Virginia Natural Gas pipeline, U.S. Navy JP-5 line).

12. Impacts to navigation for the selected alternative (A, B, C, or D) must be vetted and approved by the U.S. Coast Guard (USCG) Sector Hampton Roads.



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DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219 2000

Charles A. Kilpatrick, P.E.
Commissioner

April 1, 2016

Ms. Julie V. Langan, Director
ATTN: Mr. Marc Holma
Office of Review and Compliance
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221

Route Number: I-64, I-664, I-564

Project Number: 0064-965-081, P101

UPC: 106724

DHR File No. 2015-0783

City/County: Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Suffolk

Project Description: Hampton Roads Crossing Study, Supplemental Environmental Impact Statement

Proposed Action: Coordination of Efforts to Identify Historic Properties

Dear Ms. Langan:

The Virginia Department of Transportation (VDOT), in cooperation with the Federal Highway Administration (FHWA), is preparing a Supplemental Environmental Impact Statement (SEIS) for the Hampton Roads Crossing Study (HRCS), a federally-funded transportation project subject to Section 106 of the National Historic Preservation Act (54 U.S.C. 300101 et seq.). On behalf of the FHWA, VDOT last wrote you about the HRCS on February 16, 2016, to update you on the alternatives that will be examined in the SEIS and solicit your comments regarding VDOT's definition of the project's Area of Potential Effects. The purpose of this letter is to coordinate with your office the results of VDOT's efforts to identify above-ground ("architectural") historic properties located within the Area of Potential Effects for the HRCS and to share our assessment of the additional technical studies that will be needed to complete efforts to identify the archaeological historic properties.

Background

The purpose of the HRCS is to relieve congestion at the I-64 Hampton Roads Bridge Tunnel in a manner that improves accessibility, transit, emergency evacuation, and military and goods movement along the primary transportation corridors in the Hampton Roads region, including the I-64, I-664, I-564, and Route 164 corridors (Figure 1). The four build alternatives (A, B, C, and D) that have been retained for full analysis in the SEIS were described in detail in our February 2016 letter. The location and configuration of each is shown in Figure 2.

Figure 3 depicts the 500-foot-wide Study Area Corridors associated with each build alternative (along with expanded areas at the locations of potential interchange improvements) which, for the purposes of Section 106, constitute the Area Potential Effects (APE) for direct effects. We would like to emphasize that the 500-foot Study Area Corridors are so-called “worst-case scenarios” for direct impacts. As work on the SEIS proceeds, more realistic and presumably narrower Limits of Disturbance will be delineated for each alternative based on early preliminary engineering. For example, VDOT and FHWA have already agreed that improvements proposed in the HRCS SEIS to the I-64 corridor largely would be confined to existing highway right-of-way.

In general, in undeveloped areas or in areas where alternatives cross water, VDOT defined the APE for indirect effects (e.g., visual or auditory effects) as extending 500 feet beyond each side of the 500-foot Study Area Corridor. In developed areas where the build alternatives would involve improvements to existing highways, the indirect effects APE extends across tax parcels directly abutting the 500-foot Study Area Corridor and across any parcels immediately adjacent to the abutting properties.

Architectural Resources

VDOT has recently completed background research and Phase I field survey to identify all architectural properties that would be 50 or more years of age as of 2026 located within the direct and indirect APE for the HRCS that are already listed on the National Register of Historic Places (NRHP), have previously been determined eligible for listing, or, in our opinion, are potentially eligible for listing. The results of this effort are presented in the report, *Architectural Survey: Management Summary, HRCS SEIS*, prepared by Stantec Consulting Services, Inc. (Stantec), a subcontractor to VDOT’s consultant Rummel Klepper and Kahl, LLP. Two paper copies of this report and one copy in Portable Document Format (PDF) on compact disc are enclosed for your department’s review. One copy in PDF format is also being provided to each of the other consulting parties.

As discussed in further detail in the architecture management summary, the direct and indirect effects APE for the HRCS contain the following resources:

- 12 properties previously listed on the NRHP (two of which—Hampton Institute Historic District and Fort Monroe—are also National Historic Landmarks) (Table 1)

- 8 properties previously determined by your department to be eligible for listing on the NRHP, or considered eligible for listing by Commander Navy Region Mid-Atlantic (CNRMA) (Table 2)
- 2 National Historic Trails designated by Congress which VDOT is assuming are eligible for the NRHP for the purposes of assessing the effects of the HRCS on historic properties pursuant to Section 106 of the National Historic Preservation Act (Table 2)
- 505 previously surveyed resources, recorded in your department's Virginia Cultural Resources Information System (V-CRIS) between 2010 and 2015, and previously determined by your department not to be eligible for the NRHP
- 170 previously surveyed resources, recorded in V-CRIS more than five years ago, and re-surveyed for the HRCS
 - 3 of these properties are recommended on the basis of the present HRCS survey to be eligible for the NRHP; the remainder (167) are recommended not to meet NRHP eligibility criteria (Table 3)
- 628 newly surveyed resources recorded in V-CRIS for the HRCS
 - 2 of these properties are recommended on the basis of the present HRCS survey to be eligible for the NRHP; the remainder (626) are recommended not to meet NRHP eligibility criteria (Table 3)

Hard copies of the forms Stantec has completed in V-CRIS, associated property sketches, and photographic documentation for the 170 properties that Stantec resurveyed and the 628 properties they surveyed for the first time are being provided to your department under separate cover. If any of the other consulting parties so request, VDOT would happy to provide them a PDF copy of this detailed documentation.

It should be noted that property access refusals prevented Stantec from examining eight additional structures in the HRCS APE that meet the age criteria VDOT established for the architectural study. Two of the five dwellings on the tax parcel at 2300 Jolliff Road (located outside the direct but inside the indirect APE in the City of Chesapeake) could not be examined (Figure 4); however, VDOT believes it is unlikely that these two buildings meet NRHP eligibility criteria based on their similarity to the other three ca. 1960, one-story, concrete block dwellings on the property (VDHR File Nos. 131-5787, 131-5829, 131-5830). Four properties in the City of Newport News (DHR Nos. 121-0055, 121-0057, 121-0058, 121-0059) and one property in the City of Norfolk (DHR No. 122-0334) had previously been recorded in V-CRIS, but access was denied for Stantec's planned re-survey. The locations of these properties are depicted in Maps D-26 and D-27 in the enclosed management summary. Two of the properties are within the HRCS direct effects APE, and VDOT will likely attempt again to gain access for the purpose of assessing the NRHP eligibility of the structures.

Archaeological Resources

Also enclosed for your department's review and review by other consulting parties is the report, *Archaeological Assessment, HRCS SEIS*, prepared by Stantec for VDOT. Two paper copies of this report and one copy in PDF on compact disc are enclosed for your department's review. One copy in PDF format is also being provided to each of the other consulting parties.

The direct effects APE for the HRCS has been the subject of several previous terrestrial and underwater archaeological technical studies conducted by VDOT to support the 2001 HRCS Final Environmental Impact Statement and 2011 Re-evaluation and the 2012 Draft Environmental Impact Statement prepared for the Hampton Roads Bridge Tunnel study. The purpose of the archaeological assessment was to consider the geographic coverage and findings of these and other previous studies in relation to the present HRCS APE, along with present land use conditions, to determine where within the direct effects APE survey still needs to be conducted to complete efforts to identify potentially significant archaeological sites at the Phase I level of investigation. Section 5 of the assessment report identifies several areas of the APE not examined sufficiently in previous surveys where additional survey is warranted. VDOT proposes to defer this additional Phase I level survey (as well as any Phase II level investigations that also might be needed to identify the archaeological sites eligible for the NRHP potentially affected by the HRCS) until after a build alternative has been selected. The assessment report review of the archaeological sites presently known to be located within the HRCS direct effects APE, and the review of the APE's potential to contain additional sites, has lead VDOT to conclude that, in relation to their historical significance, any archaeological historic properties that might be affected by the HRCS would meet the regulatory exception to the requirements of Section 4(f) approval: the sites would be important chiefly for the information they contain, which can be retrieved through data recovery, and would have minimal value for preservation in place [23 CFR §774.13(b)(1)].

Preliminary Assessment of Effects on Battlefield and Historic Trail Resources

Each of the proposed build alternatives for the HRCS traverses extensive historic resources that have been identified by sub-units of the National Park Service as being potentially eligible for the NRHP. These resources include one War of 1812 battlefield – Battle of Craney Island (DHR Inventory No. 124-5267) – two Civil War battlefields – Battle of Hampton Roads (114-5471) and Battle of Sewell's Point (122-5426) – and two national historic trails -- Captain John Smith Chesapeake National Historic Trail and Washington-Rochambeau Revolutionary Route National Historic Trail. Alternatives B, C, and D cross land associated with the Battle of Craney Island and identified by the American Battlefield Protection Program (ABPP) as potentially eligible for the NRHP (PotNR). All four build alternatives cross the two national historic trails and the ABPP-defined PotNR for the battles of Hampton Roads and Sewell's Point.

The current condition of each of these five battlefield and trail resources and their historic settings are reviewed in detail in the enclosed architecture management summary and archaeological assessment reports. In sum, these resources are located within what is now a highly industrialized and developed area in which few remnants of the historic landscape survive. Additionally, much of the construction associated with the four proposed build

alternatives for the HRCS would involve improvements of or improvements immediately adjacent to existing infrastructure, such as the Monitor-Merrimac Memorial Bridge-Tunnel and the Hampton Roads Bridge Tunnel. Given the limited design and engineering that has been developed for the build alternatives to date it would be premature for VDOT to definitively assess the effect of the HRCS on these battlefield and trail resources; however, we do believe the effect is not likely to be adverse. In comments submitted to VDOT by letter of January 4, 2016, the National Park Service's Chesapeake Bay Office has expressed a similar conclusion in regard to the effects of the HRCS on the Captain John Smith Chesapeake National Historic Trail (CAJO): "While there may be significant CAJO resources currently known or potentially to be discovered within the still-developing APE of the proposed project alternatives, the integrity of many CAJO resources within this particular area has been diminished over time by the impacts of extensive existing development and infrastructure. All project alternatives of the HRCS appear to propose actions that are generally consistent with the existing conditions in the area." The FHWA may use VDOT's findings in regard to the battlefield and historic trail resources to make preliminary *de minimis* impact determinations in the Draft SEIS pursuant to the requirements of Section 4(f) of the Department of Transportation Act [23 CFR §774.3(b)].

VDOT has summarized our present findings in the signature block below, and we invite your agency to indicate your concurrence with these determinations by completing the signature block and returning your original signature to my attention. We would appreciate receiving any comments you or other consulting parties may have within thirty (30) calendar days of receipt of this letter.

Thank you for your assistance. If you or other consulting parties have any questions about the HRCS, please don't hesitate to contact me by email at me.hodges@vdot.virginia.gov or by phone at 804-786-5368.

Sincerely,



Mary Ellen N. Hodges
District Preservation Program Coordinator
Enclosures

- c. Mr. Ed Sundra, FHWA
- Mr. Scott Smizik, VDOT Locations Study Manager
- Ms. Britta Ayers, City of Newport News
- Mr. Scott Mills, City of Suffolk
- Ms. Mae Breckenridge-Haywood, African American Historical Society of Portsmouth
- Mr. Patrick R. Jennings, American Battlefield Protection Program
- Ms. Martha F. Morris, Buckroe Historical Society
- Mr. Mark Perreault, Citizens for a Fort Monroe National Park
- Mr. J. Brewer Moore
- Mr. Matt Jagunic, National Park Service, Chesapeake Bay Office
- Ms. Peggy McPhillips, Norfolk Historical Society

Mr. Carter B. S. Furr, Norfolk Preservation Alliance
Mr. James R. Turner, Partnership for a New Phoebus, Inc.
Mr. John Haynes, U.S. Army Corps of Engineers
Captain Brenda Kerr, U.S. Coast Guard Base, Portsmouth
Mr. Rob Reali, Army Caretaker, Fort Monroe
Mr. W. Keith Cannady, City of Hampton, Community Development Department
Mr. Josh Gillespie, Fort Monroe Authority
Dr. Rodney Smith, Hampton University
Ms. Kirsten Talken-Spalding, Fort Monroe National Monument
Mr. Clyde Christman, Virginia Department of Conservation and Recreation (Fort Wool)
Ms. Luci Talbot Cochran, Hampton History Museum
Mr. Hunter D. Smith, Smith/Packett (The Chamberlin)
Ms. Jacqueline Post, U. S. Department of Veterans Affairs

HAMPTON ROADS CROSSING STUDY

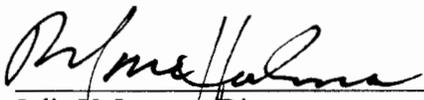
Project Number: 0064-965-081, P101

UPC: 106724

DHR File No. 2015-0783

The Department of Historic Resources (DHR) concurs with the following findings of the Virginia Department of Transportation (VDOT):

- VDOT's National Register of Historic Places (NRHP) eligibility determinations for the architectural resources listed in Appendices B, C, and D of the report, *Architectural Survey: Management Summary, HRCS SEIS*, dated April 1, 2016 and prepared by Stantec for VDOT;
- VDOT's findings that survey within the areas described in Section 5.1 of the report, *Archaeological Assessment, HRCS SEIS*, dated April 1, 2016, and prepared by Stantec for VDOT, would be sufficient for completing efforts to identify, at the Phase I level, all archaeological sites within the HRCS direct effects Area of Potential Effects (APE) that may be eligible for the NRHP;
- Any archaeological sites located within the direct effects APE for the HRCS likely would be potentially important chiefly for the information they may contain (which can be retrieved through data recovery) and have minimal value for preservation in place.



Julie V. Langan, Director
Virginia Department of Historic Resources
Virginia State Historic Preservation Officer

28 April 16
Date

2015-0783

Figure 1. HRCS roadway alignments.

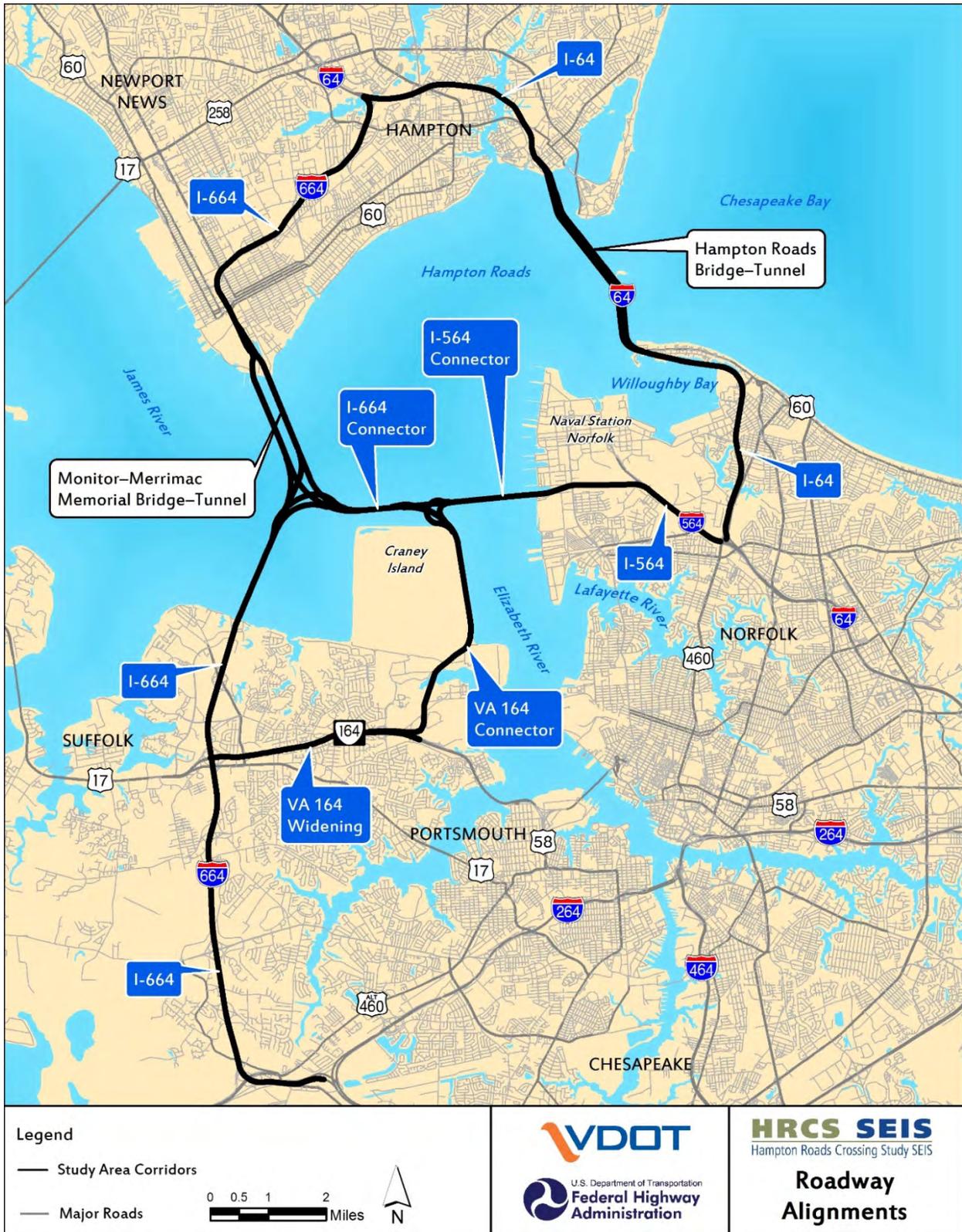


Figure 3. Study Area Corridors associated with the four HRCS build alternatives.



Figure 4. Location of the two dwellings (circled with a pink line) at 2300 Jolliff Road for which access to survey was denied. The adjacent dwellings, labeled with DHR File Nos., were surveyed.

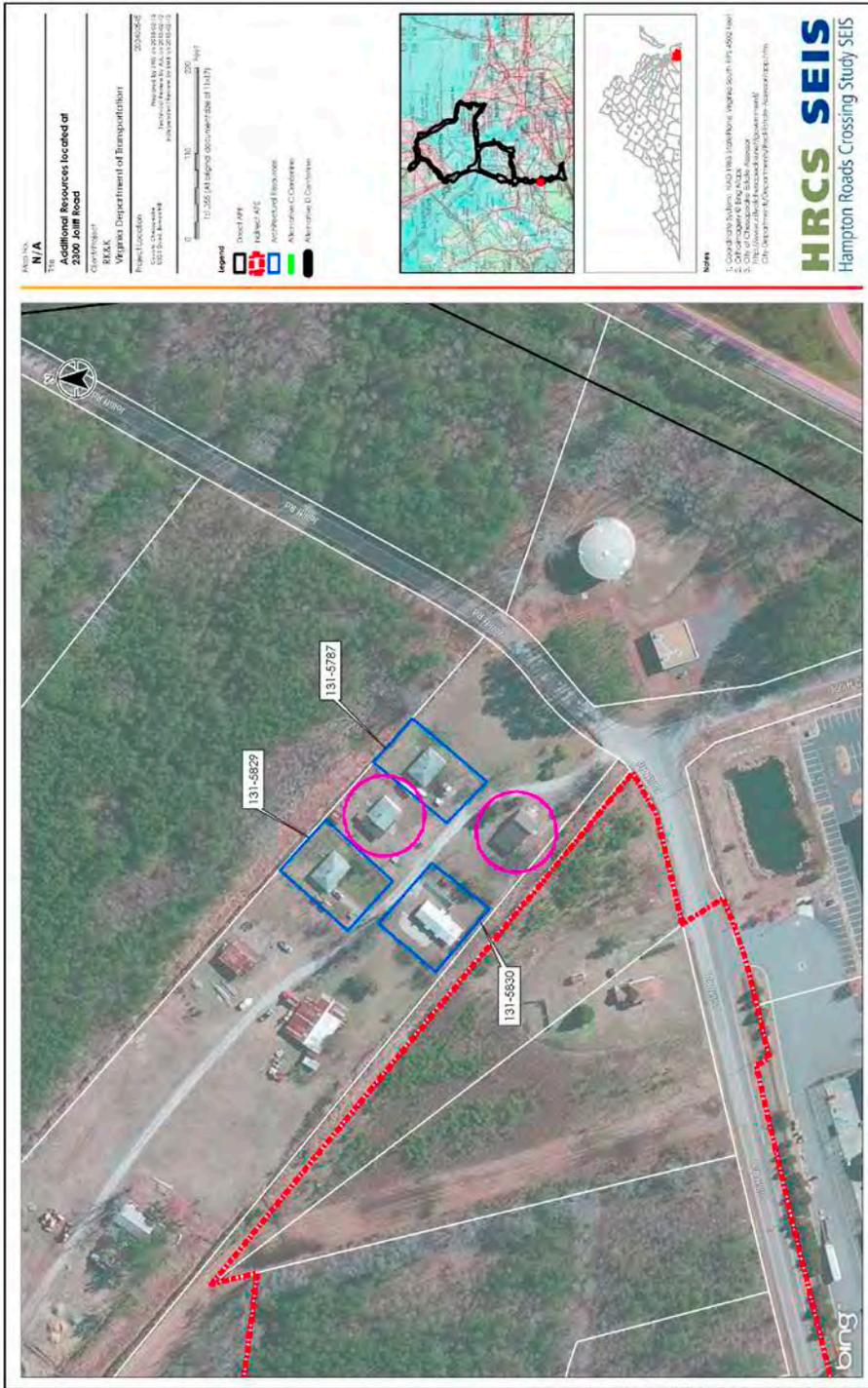


Table 1. Architectural properties previously listed on the National Register of Historic Places

VDHR No.	City	Resource	NRHP Status	SEIS Alternative	Direct APE	Indirect APE
114-0002	Hampton	Fort Monroe	NHL 1960; NRHP-listed 1966	A, B, & D		Yes
114-0006	Hampton	Hampton Institute Historic District	NRHP-Listed 1969; NHL 1974; NHL Boundary Revised 1976	A, B, & D	Yes	Yes
114-0021	Hampton	Old Point Comfort Lighthouse	NRHP-Listed 1973	A, B, & D		Yes
114-0041	Hampton	Fort Wool	NRHP-Listed 1969	A, B, & D		Yes
114-0101	Hampton	Hampton Veterans Affairs Medical Center Historic District	Federal Determination of Eligibility 1981 by the Keeper of the NRHP	A, B, & D	Yes	Yes
114-0114	Hampton	Chamberlin Hotel	NRHP-Listed 2007	A, B, & D		Yes
114-0118	Hampton	Pasture Point Historic District	NRHP-Listed 2012	A, B, & D		Yes
114-0148	Hampton	Hampton National Cemetery	NRHP-Listed 1996	A, B, & D		Yes
114-5002	Hampton	Phoebus-Mill Creek Terrace Neighborhood Historic District	NRHP-Listed 2006	A, B, & D	Yes	Yes
121-0032	Newport News	St. Vincent de Paul Catholic Church	NRHP-Listed 2005	C & D		Yes
121-0299	Newport News	Noland Company Building	NRHP-Listed 2010	C & D	Yes	Yes
131-5325	Chesapeake	Sunray Agricultural Historic District	NRHP-Listed 2008	C & D		Yes

Table 2. Architectural properties previously determined eligible for the National Register of Historic Places or assumed eligible for the purposes of this study.

VDHR No.	City	Resource	NRHP Eligibility Status	SEIS Alternative	Direct APE	Indirect APE
114-5471	Hampton	Battle of Hampton Roads (ABPP VA008)	NRHP-Eligible (DHR 2007)	A, B, C, & D	Yes	Yes
122-0410	Norfolk	Norfolk Naval Base Historic District	Portions Considered NRHP-Eligible by the CNRMA	A, B, & D	Yes	Yes
122-0531	Norfolk	Forest Lawn Cemetery	NRHP-Eligible (DHR 2012)	A, B, & D	Yes	Yes
122-0954	Norfolk	Ocean View Elementary School	NRHP-Eligible (DHR 1998)	A, B, & D		Yes
122-5045	Norfolk	Norfolk Naval Base Golf Club Historic District	NRHP-Eligible (DHR 1997)	B, C, & D	Yes	Yes
122-5426	Norfolk	Battle of Sewell's Point (VA001)	NRHP-Eligible (DHR 2007)	A, B, C, & D	Yes	Yes
122-5434	Norfolk	Merrimack Landing Apartment Complex/Merrimack Park Historic District	NRHP-Eligible (DHR 2012)	A, B, & D		Yes
124-5267	Portsmouth	Battle of Craney Island	NRHP-Eligible (ABPP 2007)	B, C, and D	Yes	Yes
Not assigned	Hampton, Newport News, Norfolk, Portsmouth, Suffolk	Captain John Smith Chesapeake National Historic Trail	Assumed Eligible for the Purposes of this Study	A, B, C, & D	Yes	Yes
Not assigned	Hampton, Newport News, Norfolk, Portsmouth, Suffolk	Washington-Rochambeau Revolutionary Route National Historic Trail	Assumed Eligible for the Purposes of this Study	A, B, C, & D	Yes	Yes

Table 3. Architectural properties recommended potentially eligible for the National Register of Historic Places.

VDHR No.	City	Resource	NRHP Eligibility Status	SEIS Alternative	Direct APE	Indirect APE
114-0155	Hampton	Elmerton Cemetery	Recommended Potentially Eligible 2016	A, B, & D		Yes
114-5600	Hampton	Hampton Coliseum	Recommended Potentially Eligible 2016	A, B, C, & D	Yes	Yes
121-0033	Newport News	Brown Manufacturing, Coca-Cola Bottling Works, Daily Press Building	Recommended Potentially Eligible 2016	C & D		Yes
121-0157	Newport News	Peninsula Catholic High School/St. Vincent's School for Girls	Recommended Potentially Eligible 2016	C & D	Yes	Yes
122-5930	Norfolk	Willoughby Elementary School	Recommended Potentially Eligible 2016	A, B, & D		Yes



City of Virginia Beach

VBgov.com

OFFICE OF THE CITY MANAGER
(757) 385-4242
FAX (757) 427-5626

MUNICIPAL CENTER
BUILDING 1, ROOM 234
2401 COURTHOUSE DRIVE
VIRGINIA BEACH, VA 23456-9001

March 31, 2016

U.S. Department of Transportation
Federal Highway Administration
Attention: Mr. Jose Granado, P.E.

Subject: City of Virginia Beach Participating Agency Status – Hampton Roads Crossing Study Supplemental Environmental Impact Statement

Dear Mr. Granado:

This letter is to acknowledge and accept that the City of Virginia Beach has been granted participating agency status as part of the Hampton Roads Crossing Study Supplemental Environmental Impact Statement.

The City organization appreciates the opportunity to be involved in this critical regional transportation project as a participating agency.

Respectfully,

David L. Hansen,
City Manager

c: Jim Utterback, PMP, VDOT Hampton Roads Administrator

City of Virginia Beach Management Leadership Team
Phillip A. Davenport, Director of Public Works
Robert R. Matthias, Assistant to the City Manager
Brian Solis, Interim Strategic Growth Areas Manager



DEPARTMENT OF THE NAVY

COMMANDER
NAVY REGION MID-ATLANTIC
1510 GILBERT STREET
NORFOLK VA 23511-2737

5090

N4

February 24, 2016

Ms. Irene Rico
Division Administrator
U.S. Department of Transportation
Federal Highway Administration – Virginia Division
400 N. 8th Street Room 750
Richmond, VA 23219-4825

**SUBJECT: Hampton Roads Crossing Study, Supplemental Environmental Impact Statement:
Invitation to Serve as a Cooperating Agency**

Dear Ms. Rico:

Thank you for your letter requesting that the United States Navy (USN) participate as a cooperating agency in the preparation of the Supplemental Environmental Impact Statement (SEIS) to reevaluate the Hampton Roads Crossing Study. We reaffirm our support of VDOT's and FHWA's decision to re-examine the three alternatives retained for analysis in the original study, as well as other alternatives that may be identified during the initial scoping process. Because of the Navy's substantial presence in the region, we remain interested in initiatives that improve transportation connections and reduce congestion, and agree to be a cooperating agency.

Doing so will materially further the Navy's interest in increasing the safety and quality of life for tens of thousands of military personnel accessing both Naval Station Norfolk (NSN) and Naval Support Activity Hampton Roads (NSAHR). The Crossing Study initiative is consistent with our view that transportation is a military readiness issue, and we support efforts that contribute to the overall strategy to expand the region's transportation system capacity, reduce congestion, and increase access to Hampton Roads. Consequently, we support efforts to improve harbor-crossing capability because of the significant benefit to our military mission and the welfare of our personnel.

As a cooperating agency, the Navy will, as resources permit:

- Provide meaningful and early input in defining the purpose and need, determining the range of alternatives to be considered, and identify the methodologies and level of detail needed in the assessment of impacts;
- Participate in coordination meetings, study team meetings, and joint field reviews, when warranted and to the extent agency resources allow; and

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February 24, 2016

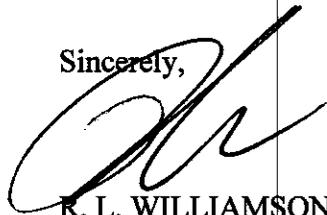
- Provide timely review and comments on environmental documentation as it is being prepared.

It is important to note, however, that certain bridge and tunnel designs could adversely affect Navy port and air operations. Accordingly, the Navy will work in partnership with VDOT/FHWA to find mutually beneficial solutions that are most compatible with the needs of all users, including the Navy.

We look forward to continued efforts to identify and implement timely solutions to the Harbor crossing challenge. Accordingly, the Navy will continue to work with Federal and state agencies in support of regional solutions, that, in total, resolve traffic congestion, promote Fleet readiness, and offer Navy families options that make living in Hampton Roads even more attractive than it is today.

If you need additional information, please contact either Ms. Rhonda Murray at (757) 341-0232, rhonda.p.murray@navy.mil or Ms. Justine Woodard at (757) 341-0496, justine.woodward@navy.mil.

Sincerely,



R. L. WILLIAMSON
Rear Admiral, U.S. Navy



DEPARTMENT OF THE NAVY

COMMANDER
NAVY REGION MID-ATLANTIC
1510 GILBERT STREET
NORFOLK VA 23511-2737

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February 24, 2016

Mr. Scott Smizik
Virginia Department of Transportation
Environment Division
1401 East Broad Street
Richmond, VA 23219

**SUBJECT: Hampton Roads Crossing Study, Supplemental Environmental Impact Statement:
Invitation to Serve as a Cooperating Agency**

Dear Mr. Smizik:

Thank you for your letter requesting that the United States Navy (USN) participate as a cooperating agency in the preparation of the Supplemental Environmental Impact Statement (SEIS) to reevaluate the Hampton Roads Crossing Study. We reaffirm our support of VDOT's and FHWA's decision to re-examine the three alternatives retained for analysis in the original study, as well as other alternatives that may be identified during the initial scoping process. Because of the Navy's substantial presence in the region, we remain interested in initiatives that improve transportation connections and reduce congestion, and agree to be a cooperating agency.

Doing so will materially further the Navy's interest in increasing the safety and quality of life for tens of thousands of military personnel accessing both Naval Station Norfolk (NSN) and Naval Support Activity Hampton Roads (NSAHR). The Crossing Study initiative is consistent with our view that transportation is a military readiness issue, and we support efforts that contribute to the overall strategy to expand the region's transportation system capacity, reduce congestion, and increase access to Hampton Roads. Consequently, we support efforts to improve harbor-crossing capability because of the significant benefit to our military mission and the welfare of our personnel.

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- Provide meaningful and early input in defining the purpose and need, determining the range of alternatives to be considered, and identify the methodologies and level of detail needed in the assessment of impacts;
- Participate in coordination meetings, study team meetings, and joint field reviews, when warranted and to the extent agency resources allow; and
- Provide timely review and comments on environmental documentation as it is being prepared.

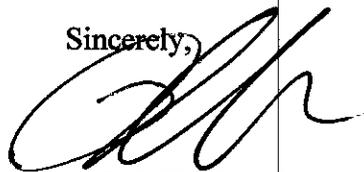
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February 24, 2016

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We look forward to continued efforts to identify and implement timely solutions to the Harbor crossing challenge. Accordingly, the Navy will continue to work with Federal and state agencies in support of regional solutions, that, in total, resolve traffic congestion, promote Fleet readiness, and offer Navy families options that make living in Hampton Roads even more attractive than it is today.

If you need additional information, please contact either Ms. Rhonda Murray at (757) 341-0232, rhonda.p.murray@navy.mil or Ms. Justine Woodard at (757) 341-0496, justine.woodward@navy.mil.

Sincerely,

A handwritten signature in black ink, appearing to be 'R. L. Williamson', written over a horizontal line.

R. L. WILLIAMSON
Rear Admiral, U.S. Navy



City of Newport News

Virginia 23607

2400 Washington Avenue
(757) 926-8411
Fax (757) 926-3503

Office Of The City Manager

December 21, 2015

Mr. Wayne Fedora
U.S. Department of Transportation
Federal Highway Administration
400 N. 8th Street, Room 750
Richmond, Virginia 23219-4825

Re: Hampton Roads Crossing Study - Confirmation as a Cooperating Agency
State Project Number: 0064-965-081, P101, UPC 106724

Dear Mr. Fedora:

Thank you for extending cooperating agency status to the City of Newport News for the preparation of the Supplemental Environmental Impact Study (SEIS) for the Hampton Roads Crossing Study (HRCS). The City welcomes the opportunity to be an active participant in the SEIS as the project has the potential for significant impact to Newport News. Bryan Stilley of the Department of Engineering will serve as the point of contact for the City and may be contacted by email at bstilley@nnva.gov or at (757) 926-8699.

Sincerely,

James M. Bourey
City Manager

JMB:KBS:wjr

cc: Cynthia Rohlf, Assistant City Manger
Everett P. Skipper, Director of Engineering
Scott Smizik, VDOT Location Studies Project Manager

From: [Gibson, Anthony J \(VDOT\)](mailto:Gibson,Anthony.J@VDOT.Virginia.gov)
To: [Smizik, Scott \(VDOT\)](mailto:Smizik,Scott@VDOT.Virginia.gov)
Subject: Fwd: HRCS
Date: Tuesday, December 15, 2015 10:56:14 AM

Scott-

Please see the below email from the City of Portsmouth.

Regards,

Tony Gibson, AICP
HRTAC Program Manager
VDOT- Hampton Roads District
1700 N. Main Street- Suffolk, VA 23434
757-925-2274- phone
757-556-7885 -mobile

Sent from my iPhone

Begin forwarded message:

From: "Wright, James" <wrightj@portsmouthva.gov>
Date: December 15, 2015 at 10:31:54 AM EST
To: "Gibson, Anthony J (VDOT)" <Anthony.Gibson@VDOT.Virginia.gov>
Subject: RE: HRCS

Mr. Gibson,

I am pleased to accept the invitation on behalf of the City of Portsmouth to become a cooperating agency in the development of the SEIS for the Hampton Roads Crossing Study. Please ensure that I am copied on all correspondence as it relates to this project. If you need additional information, do not hesitate to contact me.

Once again, thank you for consideration.

JW

From: Gibson, Anthony J (VDOT) [<mailto:Anthony.Gibson@VDOT.Virginia.gov>]
Sent: Tuesday, December 15, 2015 7:42 AM
To: Wright, James
Subject: RE: HRCS

James-

To officially document the City of Portsmouth's acceptance to become a cooperating agency for the HRCS, please provide an email or letter accepting the invitation.

Best regards,
Tony Gibson, AICP
HRTAC Program Manager
VDOT- Hampton Roads District
1700 N. Main Street- Suffolk, VA 23434
757-925-2274- phone
757-556-7885 -mobile

From: Wright, James [<mailto:wrightj@portsmouthva.gov>]
Sent: Wednesday, October 07, 2015 3:40 PM
To: Smizik, Scott (VDOT)
Cc: Miller, Paula (VDOT)
Subject: RE: HRCS

Thank you

From: Smizik, Scott (VDOT) [<mailto:Scott.Smizik@vdot.virginia.gov>]
Sent: Wednesday, October 07, 2015 3:39 PM
To: Wright, James
Cc: Miller, Paula (VDOT)
Subject: RE: HRCS

Nothing more than an email. If you prefer to send a letter, that is fine as well.

From: Wright, James [<mailto:wrightj@portsmouthva.gov>]
Sent: Wednesday, October 07, 2015 3:35 PM
To: Smizik, Scott (VDOT)
Cc: Miller, Paula (VDOT)
Subject: RE: HRCS

Thank you. What type of response do you need to accept the invitation?

From: Smizik, Scott (VDOT) [<mailto:Scott.Smizik@vdot.virginia.gov>]
Sent: Wednesday, October 07, 2015 1:37 PM
To: Wright, James
Cc: Miller, Paula (VDOT)
Subject: HRCS

Mr. Wright –

We received your inquiry about the City of Portsmouth's invitation to be a participating agency. I have attached the original letter in which this invitation was extended. You are still welcome to accept the invitation at this date.

Thank you for your continued interest in our study.

Scott Smizik
Location Studies Project Manager

Virginia Department of Transportation
Environmental Division
1401 East Broad Street
Richmond, Virginia 23219
Desk: (804) 371-4082
Cell: (804) 306-0920
Fax: (804) 786-7401
Scott.Smizik@VDOT.Virginia.gov



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION III
Delaware, District of
Columbia, Maryland,
Pennsylvania, Virginia,
West Virginia

1760 Market Street
Suite 500
Philadelphia, PA 19103-4124
215-656-7100
215-656-7260 (fax)

December 4, 2015

Mr. Wayne Fedora
Acting Division Administrator
Federal Highway Administration
400 North 8th Street, Room 750
Richmond, VA 23219-4825

**Re: Invitation to Serve as a Cooperating Agency on the Hampton Roads Crossing Study –
VDOT Project Number 0064-965-081, P101; UPC 106724**

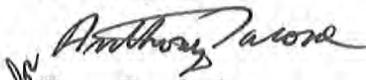
Dear Mr. Fedora:

The Federal Transit Administration (FTA) is in receipt of the Federal Highway Administration's (FHWA) letter of November 24, 2015 requesting that FTA become a cooperating agency for the above-referenced project located in the cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Suffolk, Virginia. FTA understands this Supplemental Environmental Impact Statement (SEIS) will re-examine the three alternatives that were retained for analysis in the original Hampton Roads Crossing Study, as well as other alternatives that may be identified during the initial scoping process. The original study was documented in a Final Environmental Impact Statement (FEIS) and Record of Decision (ROD), both issued by FHWA in 2001.

On July 29, 2015, FTA accepted FHWA's invitation to be a participating agency for the same study; however, FTA now understands that the above-referenced SEIS could include transit improvements and access across the Hampton Roads waterway meriting a higher degree of authority and involvement as it relates to public transportation. Based on the inclusion of conceptual transit elements in this SEIS, FTA accepts FHWA's invitation to become a cooperating agency pursuant to 23 CFR 771.111(d).

Please contact Mr. Ryan Long, Community Planner, at (215) 656-7051 or ryan.long@dot.gov, if you have any further questions.

Sincerely,


Terry Garcia Crews
Regional Administrator

cc: Ed Sundra, FHWA
Scott Smizik, VDOT
Dan Koenig, FTA

From: [Bunting, Mary](#)
To: [Smizik, Scott \(VDOT\)](#)
Cc: "[Ed.Sundra@dot.gov](#)"; [Gibson, Anthony J \(VDOT\)](#); [Allsbrook, Lynn](#); [DeProfio, Brian](#)
Subject: Hampton Roads Crossing Study Cooperating Agency Response
Date: Wednesday, November 18, 2015 6:48:27 PM

Mr. Smizik,

I am responding to the November 9, 2015 letter from Ed Sundra of FHWA regarding the City of Hampton's designation as a cooperating agency in the Hampton Roads Crossing Study. First please accept my apology for responding late and the City not being in attendance at the November 16, 2015 cooperating agency meeting. The City of Hampton accepts the offer to be a Cooperating Agency and looks forward to actively participating in the study moving forward.

I am designating Lynn Allsbrook, Director of Public Works (lallsbrook@hampton.gov) and Brian DeProfio, Director of Budget and Strategic Priorities (bdeprofio@hampton.gov) as the City's representatives.

Mary Bunting
City Manager



Virginia Division
(804)775-3320

400 N. 8th Street Rm. 750
Richmond, Virginia 23219-4825

U.S. Department
of Transportation

November 9, 2015

**Federal Highway
Administration**

Dr. L. Pettis Patton, City Manager
City of Portsmouth
801 Crawford Street
Portsmouth, Virginia 23704

Mr. Marcus D. Jones, City Manager
City of Norfolk
810 Union Street
Norfolk, Virginia 23510

Mr. James M. Bourey, City Manager
City of Newport News
2400 Washington Avenue
Newport News, Virginia 23607

Ms. Mary Bunting, City Manager
City of Hampton
22 Lincoln Street, 8th Floor
Hampton, Virginia 23669

Mr. James K. Spore, City Manager
City of Virginia Beach
2401 Courthouse Drive
Virginia Beach, Virginia 23456

Subject: Hampton Roads Crossing Study
Request to be a Cooperating Agency
State Project Number: 0064-965-081, P101, UPC 106724

Dear City Managers:

The Federal Highway Administration (FHWA) is in receipt of letters dated October 13, 2015 and October 22, 2015 from your Mayors requesting cooperating agency status for the Hampton Roads Crossing Study (HRCS). FHWA and the Virginia Department of Transportation (VDOT) have agreed to extend cooperating agency status to the Cities of Norfolk, Portsmouth, Hampton, Newport News and Virginia Beach on the basis that the Cities possess special expertise related to assessing the accessibility, land use and economic impacts that the project may have on the “core cities” of Hampton Roads. As a cooperating agency, we respectfully request that each jurisdiction designate an individual that can represent and speak on behalf of the local government at HRCS cooperating agency meetings.

As a cooperating agency, the Cities will be afforded the opportunity, along with the other recognized cooperating agencies, to review and comment on:

- alternatives carried forward
- draft technical reports
- the preliminary draft Supplemental Environmental Impact Statement (SEIS) or individual sections as they are made available, and
- the preferred alternative

If the study continues after the draft SEIS, cooperating agencies will be afforded additional opportunities related to the development of the final SEIS. The Cities, just like the other cooperating agencies, are expected to provide comments within the comment period provided (usually 30 days). Accordingly, the Cities need to ensure that any internal coordination that may be necessary before they can submit comments occurs within the prescribed comment period.

It is noted that the federal resource and regulatory agencies serving in a cooperating agency capacity are being asked to concur (i.e. sign off) on key milestones of the HRCS including the purpose and need, alternatives carried forward, and the preferred alternative/preliminary least environmentally damaging practicable alternative (LEDPA). This role is not a function of their cooperating agency status but the result of a programmatic merged NEPA/404 process agreement currently being developed between VDOT, FHWA, and federal agencies that may have jurisdiction by law on FHWA/VDOT projects. While this agreement is still being developed, FHWA and VDOT agreed to subject the HRCS to the intent of the agreement. Accordingly, only the federal resource and regulatory agencies are being asked to concur at these three milestones.

It is noted, however, that funding managed by the Hampton Roads Transportation Accountability Commission (HRTAC) will likely be used to implement any alternative that comes out of the HRCS. Therefore, HRTAC and its member jurisdictions will play a significant role in the decision to identify the preferred alternative.

Finally, as you are aware, the HRCS has been progressing since July and some reviews have already been conducted and decisions already made. For example, the existing cooperating agencies have reviewed the impact assessment methodologies and they have concurred in the elements of the purpose and need. The Cities' role as a cooperating agency due to its special expertise related to impacts the project may have on the core Cities of Hampton Roads will apply moving forward in the project development process; we do not intend to revisit the methodologies or elements of the purpose and need which would effectively put the HRCS on hold for two to four months. On November 16th, we were scheduled to request that the existing cooperating agencies concur on the alternatives to be carried forward for detailed study. To allow the Cities to participate in that discussion as cooperating agencies, we will put that milestone on hold and use that opportunity to bring the Cities up to date on the discussions that have been occurring regarding alternatives.

Based on input received from several of the Cities during recent meetings with VDOT management, we understand that some may no longer wish to participate at the level required of a cooperating agency. Instead, you would prefer to continue to remain involved as participating

agencies but be more involved in project discussions and be kept apprised of developments as they occur. To this end, VDOT has committed to enhancing its communication plan and increasing its outreach to the Cities. Accordingly, you are invited to attend the November 16th cooperating agency meeting to be held in the VDOT Hampton Roads District Auditorium from 9:00 – 11:00 AM, whether you ultimately elect to participate in that capacity or not.

We look forward to working more closely with each of you on this important project for the region. If you have any questions on the role of cooperating agencies, you can contact me at (804) 775-3357 or Ed.Sundra@dot.gov. If you would like to confirm that you or your designee will be attending the November 16th meeting, please contact Scott Smizik, VDOT Location Studies Project Manager at (804) 371-4082 or Scott.Smizik@VDOT.Virginia.gov.

Sincerely,

Wayne Fedora
Acting Division Administrator



By: Edward Sundra
Acting Assistant Division
Administrator

cc: Mr. Rick Walton, VDOT
Mr. Jim Utterback, VDOT
Ms. Angel Deem, VDOT
Mr. Scott Smizik, VDOT

OCT 28 2015



City of Virginia Beach

VIRGINIA DIVISION OFFICE
RICHMOND, VIRGINIA

WILLIAM D. SESSOMS, JR.
MAYOR

VBgov.com

MUNICIPAL CENTER
BUILDING 1
2401 COURTHOUSE DRIVE
VIRGINIA BEACH, VA 23456-9000
(757) 385-4581
FAX (757) 385-5699
wsessoms@vbgov.com

October 22, 2015

Mr. Wayne Fedora
Acting Division Administrator
Federal Highway Administration Virginia Division
400 North 8th Street, Suite 750
Richmond, Virginia 23219

Dear Mr. Fedora:

The City of Virginia Beach is vitally interested in the Supplemental Environmental Impact Statement (SEIS) for an additional water crossing of the Hampton Roads. As you know, this analysis has been underway since the 1990's, and the former process ended with an Environmental Impact Statement (EIS) being approved for the "so called" Third Crossing. I understand that the current effort will also examine the Hampton Roads Bridge Tunnel. The HRBT was also considered as an alternative, but rejected, during the previous work.

As the Mayor of the largest city in the Commonwealth, and the destination of over 3 million overnight visitors a year who use both the Hampton Roads Bridge and the Monitor-Merrimac Bridge Tunnels, I respectfully request that Virginia Beach be a cooperating agency rather than a participating agency.

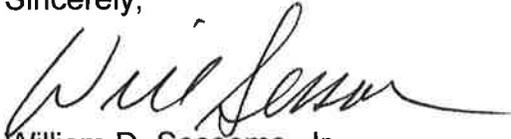
The outcome of this project will have far reaching affects for not only Virginia Beach, but also the cities of Hampton, Newport News, Norfolk, Portsmouth, and Chesapeake. The outcome of the SEIS and the projects that it will allow to be built is vital to the future of the largest city in the Commonwealth, and those cities directly affected.

As you know, Virginia Beach is the cul-de-sac for I-64 as it begins in Richmond. It's also the terminus for I-264 between Portsmouth, Norfolk, and Virginia Beach.

Mr. Wayne Fedora
October 22, 2015
Page 2

I greatly appreciate your positive consideration of our request for Virginia Beach to be designated a cooperating agency in the SEIS process.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Sessoms, Jr.", with a long, sweeping horizontal stroke extending to the right.

William D. Sessoms, Jr.
Mayor

cc: Aubrey Layne, Secretary of Transportation
Charles Kilpatrick, Commissioner of VDOT
Jim Utterback, Hampton Roads Engineer for VDOT



October 13, 2015

RECEIVED
FEDERAL HIGHWAY ADMINISTRATION

Mr. Wayne Fedora ^{ES}
Acting Division Administrator
Federal Highway Administration Virginia Division
400 North 8th Street Suite 750
Richmond, Virginia 23219

OCT 19 2015

VIRGINIA DIVISION OFFICE
RICHMOND, VIRGINIA

Dear Mr. Fedora:

As you are aware, VDOT and FHWA are currently engaged in a Supplemental Environmental Impact Statement (SEIS) for an additional water crossing in Hampton Roads between Norfolk, Portsmouth, Hampton, and Newport News. This work has been ongoing since the mid 1990's. Unfortunately, the region did not have the funding to advance the 2001 EIS Locally Preferred Alternative that included constructing the Third Crossing. The funding for this SEIS is from the new regional transportation taxes authorized by the Virginia General Assembly's House Bill 2313 and managed by the Hampton Roads Transportation Accountability Commission.

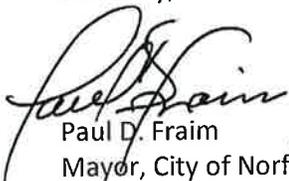
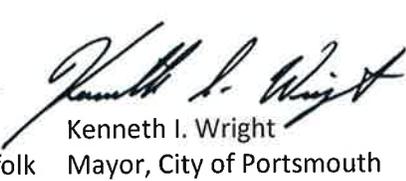
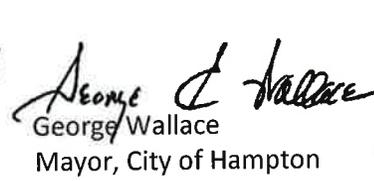
The outcome of this project will have far-reaching regional impacts, but the impacts to the "core cities" of Hampton Roads, touched by the other Hampton Roads and Elizabeth River crossings connecting the Peninsula to the "South Side", are deeply tied to the futures of these cities. The "special expertise" that these cities will bring cannot be sufficiently culled from a few studies and plans. The complexity of accessibility, land use and economic impacts are only understood by those professionals and practitioners that deal with these issues on a daily basis and have dealt with them for years. Additionally, a new or expanded crossing will result in traffic that will impact our regional transportation system beyond the study area, which will not be studied in detail.

Local transportation and planning professionals can provide sound input regarding those impacts, or put another way, how well each alternative integrates with the rest of the local and regional systems. The expertise of the local professionals is irreplaceable and should be considered early in all phases of the project in concert with the knowledge brought to bear by the Federal agencies. Without such inclusion, the study may suffer unneeded re-thinking and delays.

For these reasons, we write to you today to request that we as highly impacted local governments be classified as cooperating agencies, rather than participating agencies.

Thank you for your consideration to this important issue. We look forward to hearing from you.

Sincerely,

			
Paul D. Fraim Mayor, City of Norfolk	Kenneth I. Wright Mayor, City of Portsmouth	George Wallace Mayor, City of Hampton	Mckinley L. Price Mayor City of Newport News

cc: Charles Kilpatrick
Commissioner, VDOT



CITY OF POQUOSON

500 City Hall Avenue, Poquoson, Virginia 23662-1996

(757)868-3000

Fax (757)868-3101

Office of the Mayor

September 8, 2015



Mr. Scott Smizik
Project Manager
Virginia Department of Transportation
1401 E. Broad Street
Richmond, Virginia 23219

Dear Mr. Smizik:

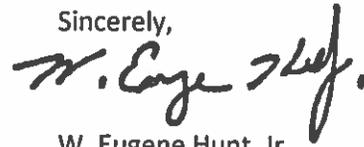
The purpose of this letter is to amplify the verbal comments that I provided to Ms. Angel Deem, VDOT Environmental Division Director, following her recent presentation to the Hampton Roads Transportation Accountability Commission (HRTAC) regarding the Hampton Roads Crossing Study SEIS. As a member of HRTAC, the Hampton Roads Transportation Planning Organization and the Mayor of the City of Poquoson, I sincerely appreciate and support the work currently being undertaken by the Federal Highway Administration and the Virginia Department of Transportation to reexamine the alternatives that were retained for analysis in the original crossing study, as well as other alternatives that may be identified during the initial scoping process.

At the July 16, 2015 HRTAC meeting I shared with Ms. Deem that in my view both Candidate Build Alternative (CBA) 2 the Hampton Roads Bridge-Tunnel (HRBT)+ Craney Island Connector and CBA 9 Monitor-Merrimac Bridge-Tunnel (MMBT)+ Patriot's Crossing would be greatly enhanced by including improvements to I-164 as part of the project scope and with respect to CBA 9, may potentially allow for modification to the scope to reduce or eliminate a portion of the proposed bridge and allow the point of connection to the improved MMBT system to an improved I-164/I-664 intersection rather than over the river.

In addition to asking that you give consideration on how an improved I-164 could improve both CBA 2 and CBA 9, I would be remiss if I did not also share my concern and opinion that I do not see improvements to the HRBT and the MMBT as mutually exclusive. In fact, given the state of present and projected transportation needs and congestion in Hampton Roads, it is my opinion that any detailed study of long-term transportation improvements must include an analysis of the entire transportation network as a single system and planned for accordingly.

Thank you in advance for your consideration of my comments. If you would like to discuss this matter or if there is anything else that I can do to be of assistance to you in this regard, please do not hesitate to contact me at 757-868-3000.

Sincerely,

A handwritten signature in black ink that reads "W. Eugene Hunt, Jr." in a cursive style.

W. Eugene Hunt, Jr.
Mayor, City of Poquoson

CITIZENS FOR A FORT MONROE NATIONAL PARK

P. O. Box 3526
Hampton, VA 23663

August 21, 2015

Mary Ellen N. Hodges
Preservation Program District Coordinator
Commonwealth of Virginia
Department of Transportation
1401 East Broad Street
Richmond, VA 23219-2000

Re: Route Number: I-64, I-664, I-564
Project Number: 0064-965-081, P101
UPC: 106724
County: Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth and
Suffolk
Project Description: Hampton Roads Crossing Study Supplemental Environmental
Impact Statement
Proposed Action: Identification of Consulting Parties

Dear Ms. Hodges:

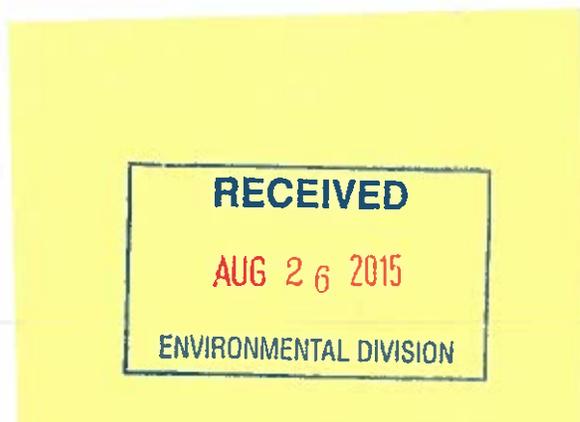
On behalf of Citizens for a Fort Monroe National Park, in response to your letter of July 17, 2015, received on August 20, 2015, I wish to convey our group's desire to participate as a consulting party in the Section 106 process for the above described undertaking.

Very sincerely,



Mark Perreault
President

cc: CFMNP Board





DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1011

August 18, 2015

Water Resources Division

Ms. Mary Ellen N. Hodges
Preservation Program District Coordinator
Virginia Department of Transportation
1401 East Broad Street
Richmond, Virginia 23219-2000

Dear Ms. Hodges:

I am replying to your letter to Mr. Mike Darrow, dated July 17, 2015, inviting the U.S. Army Corps of Engineers, Norfolk District (Corps), to participate as a consulting party in the National Historic Preservation Act (NHPA) Section 106 coordination for the Hampton Roads Crossing project. I appreciate this opportunity, and the Corps would like to have appropriate staff participate.

The Corps' overall involvement with this project stems from several different roles and authorities. As you correctly note, this project will likely require authorization from the Corps pursuant to Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act. Related to these direct authorities, the Corps is also a cooperating agency in the preparation of the Supplemental Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). The Norfolk District, Regulatory Branch, will conduct all NEPA and permitting coordination and all formal input on project aspects (alternatives, impact assessment, etc.) will occur through this coordination. Mr. George Janek is the Regulatory project manager for this project, and you may reach him at (757) 201-7135 or george.a.janek@usace.army.mil.

Additionally, because this project has the potential to adversely affect Corps sponsored federal projects, including the Norfolk Harbor Federal Navigation Project and Craney Island Dredged Material Management Area, the applicant will have to gain approval from the Corps pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408). As part of this review, the applicant will need to demonstrate that the proposed construction work does not impair the usefulness of the federal project nor harm the public interest. The 408 review will be conducted by the Norfolk District Operations Branch.

With regard to NHPA Section 106 coordination, the Federal Highway Administration is the lead federal agency for ensuring this project complies with NHPA. However, the Corps would like to participate in the consulting party coordination. In this capacity, our interest is limited to resources within Corps properties that may be affected by the

proposed project. Mr. John Haynes will be the Corps point of contact for NHPA Section 106 consulting party coordination. You may reach Mr. Haynes at (757) 201-7008 or john.h.haynes@usace.army.mil.

Again, thank you for this opportunity. Should you have any further questions, please feel free to contact me at (757) 201-7764 or Messrs. Haynes or Janek as appropriate.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Steele', followed by a long horizontal line extending to the right.

Gregory C. Steele, P.E.
Chief, Water Resources Division



HAMPTON ROADS TRANSIT

August 13, 2015

Mr. Scott Smizik
VDOT Project Manager
1401 E. Broad St.
Richmond, VA 23219

Dear Mr. Smizik:

Thank you for including Hampton Roads Transit in the kickoff for the Hampton Roads Crossing Study Supplemental Environmental Impact Statement. We are hopeful that this project will one day improve the mobility of all the citizens of Hampton Roads.

In January of 2014 Hampton Roads Transit's Commission adopted a resolution supporting the inclusion of a dedicated multimodal tube in any selected alternative of the HRCS. A multimodal crossing of Hampton Roads is vital to the economic development and mobility of the region, as it provides the only reliable means of crossing the water for those that do not have the option to drive. We hope that fair consideration will be given to the inclusion of a dedicated multimodal right-of-way and would be happy to provide any data or assistance that could aid your analysis.

Please let me know if Hampton Roads Transit can be of any assistance. We look forward to the completion of the study and to increasing the mobility of travelers in Hampton Roads.

Sincerely,

Ray Amoruso
Chief Planning & Development Officer

Cc: William Harrell, HRT – President & CEO
Julie Navarrete, HRT – Transit Development Officer

Document Control: EX440-GS-19 10037



HAMPTON ROADS TRANSIT

RESOLUTION 05-2014

Affirming the Importance of Regional Mobility and Endorsing Connect Hampton Roads

WHEREAS, mobility is a cornerstone for the quality of life and the economic vitality of Hampton Roads, Virginia; and

WHEREAS, citizens, businesses and institutions of Hampton Roads require a robust multimodal transportation system to enhance regional mobility; and

WHEREAS, cities and regions around the United States are aggressively competing with Hampton Roads for ways to expand and improve their transportation options to meet public demand and to be economically competitive; and

WHEREAS, congestion and the lack of mobility alternatives other than driving are a real threat to achieving the transportation system necessary to retain existing businesses and to attract new businesses and visitors, to effectively support our military communities and diversify the regional economy, and to retain a quality workforce and attract talented individuals to start new businesses and help support regional prosperity; and

WHEREAS, investments in the region's transportation system have not satisfied the increasing demand for more robust public transit alternatives; and

WHEREAS, regional residential and economic development patterns increasingly reflect a shift to mixed-use and higher density developments in urban areas that compliment public transit, making investments in mass transit desirable to provide viable alternative modes of transportation; and

WHEREAS, it is essential to take forward thinking approaches to regional planning that consider the fundamental need to build communities that current and future generations of Hampton Roads will embrace; and

WHEREAS, Connect Hampton Roads is an initiative to explore a new program of critical investments in support of regional mobility, complimenting the existing network of roads, bridges, and tunnels but with a renewed emphasis on more accessible and dependable transit services including express bus, light rail, pedestrian and bicycle pathways, new park-and-ride options, regular bus service, and passenger rail; and

WHEREAS, in its support of the Connect Hampton Roads effort, Hampton Roads Transit is committed to openness, public involvement, rigorous planning and financial analysis, and coordination with regional stakeholders in developing and implementing a bold new mobility agenda;

NOW, THEREFORE, BE IT RESOLVED BY THE TRANSPORTATION DISTRICT COMMISSION OF HAMPTON ROADS VIRGINIA:

Endorses the Connect Hampton Roads initiative with the goal of supporting a comprehensive plan for integrated regional transportation options, based on broad public input and supported by a phased approach to implementation and financing; and

BE IT FURTHER RESOLVED BY THE TRANSPORTATION DISTRICT COMMISSION OF HAMPTON ROADS:

That the President and CEO is hereby directed to communicate this resolution through correspondence to legislative and executive branches of government with involvement in the planning, funding, or construction of transportation assets in Hampton Roads.

ATTEST:



Commission Secretary, Luis Ramos

**TRANSPORTATION DISTRICT COMMISSION
OF HAMPTON ROADS**



Chairman, Kenneth I. Wright



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930-2276

AUG 06 2015



Mr. Scott Smizik
Virginia Department of Transportation
1401 East Broad Street
Richmond, VA 23219

Re: Hampton Roads Crossing Study;
VDOT Project 0064-965-081, P101; UPC 106724

Dear Mr. Smizik:

Thank you for the opportunity to provide our preliminary comments as the Virginia Department of Transportation (VDOT) and Federal Highway Administration (FHWA) develop a supplemental environmental impact statement (SEIS) for the Hampton Roads Crossing Study (HRCS). The HRCS was undertaken to develop and to analyze intermodal transportation alternatives to improve accessibility, mobility, and goods movement in the Hampton Roads metropolitan area of Virginia, including the cities of Chesapeake, Hampton, Poquoson, Newport News, Norfolk, Suffolk, and Virginia Beach, as well as the counties of Isle of Wight and York, and to help relieve the congestion that occurs at the existing I-64 Hampton Roads Bridge Tunnel. We understand the purpose of the new study conducted under the National Environmental Policy Act (NEPA) is to re-evaluate information previously gathered and to evaluate new information regarding impacts to human and natural resources based on the alternatives described in the March 200 FEIS and the June 2001 Record of Decision (ROD). You have specifically requested comments on resources under our purview within the project area as defined by the study location map included in your letter of June 19, 2015.

As you know, the Magnuson-Stevens Fishery Conservation and Management Act requires all federal agencies to consult with us on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect essential fish habitat (EFH). Hampton Roads is designated as EFH for 14 federally managed species. In addition to EFH, we protect anadromous species under the Fish and Wildlife Coordination Act. Hampton Roads is designated a confirmed anadromous fish use area by the Virginia Department of Game and Inland Fisheries (DGIF). These anadromous species include alewife (*Alosa pseudoharengus*), blueback herring (*Alosa aestivalis*), striped bass (*Morone saxatilis*), American shad (*Alosa sapidissima*), hickory shad (*Alosa mediocris*), and yellow perch (*Perca flavescens*) as well as the federally endangered Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*).

As the HRCS project area may overlap with areas known to support several ESA-listed species, including four species of sea turtles including leatherback sea turtle (*Dermochelys coriacea*), green sea turtle (*Chelonia mydas*), Kemp's ridley sea turtle (*Lepidochelys kempi*), and the Northwest Atlantic Ocean Distinct Population Segment (DPS) of loggerhead sea turtle (*Caretta caretta*), as well as five DPSs of Atlantic sturgeon, we encourage you to consider the effects of the alternatives on ESA-listed species. As you may know, any discretionary federal



action, such as the authorization or funding of a project by a Federal agency, that may affect a listed species must undergo consultation pursuant to Section 7 of the ESA. As the lead federal agency for the HRCS project, FHWA will be responsible for determining whether the proposed action is likely to affect listed species. When a preferred alternative has been selected and plans are complete, FHWA should submit their determination of effects, along with justification for the determination, and a request for concurrence to our Greater Atlantic Regional Fisheries Office, Protected Resources Division (PRD). After reviewing this information, PRD would then be able to conduct consultation under section 7 of the ESA. If you have any questions about threatened or endangered species or the section 7 consultation process Brian Hopper at 410-573-4592 or brian.d.hopper@noaa.gov.

As with impacts to threatened and endangered species, FHWA will need to identify both temporary and permanent impacts to EFH, anadromous fish and other aquatic resources resulting from each project alternative and conduct an EFH consultation during either the NEPA or permitting process prior to construction of the project. The means, methods and materials used during construction of any roadway, bridge or tunnel can have tremendous influence on the type and severity of impacts to marine habitats and fishery resources. Measures that mitigate adverse impacts to NOAA trust resources should be identified, evaluated, and incorporated into all phases of the project, i.e. feasibility, design and construction. As a cooperating agency for this project, we are available to assist you in indentifying construction materials, methodologies and other measures to help avoid and minimize impacts to our trust resources. Examples include the use of time of year restrictions on certain in-water construction activities, environmental buckets during dredging and vibratory versus impact hammer for pile installation. We understand that the ultimate selection of the preferred alternative will be based on many factors including technical feasibility, cost/benefit and how well the preferred alternative addresses the stated purpose and need for the project. It is our hope that consideration during the decision-making process is also given to the least environmentally damaging practical alternative.

Thank you for the opportunity to provide preliminary comments as VDOT and FHWA prepare the SEIS for the HRCS. We look forward to working with you in the future as the project alternatives are identified and evaluated for impacts to the environment including aquatic resources. If you have any questions please feel free contact Dave O'Brien at [804-684-7828](tel:804-684-7828) or david.l.o'brien@noaa.gov to discuss project alternatives and the EFH consultation process.

Sincerely,



Karen M. Greene
Field Offices Supervisor
Habitat Conservation Division

Ec: O'Brien, NMFS/HCD
Hopper, NMFS/PRD

August 6, 2015

Mr. Scott Smizik
VDOT Project Manager
HRCSSSEIS@VDOT.Virginia.Gov

VIA EMAIL

Re: Scoping Comments for Hampton Roads Crossing Study Supplemental EIS

Dear Mr. Smizik:

The Southern Environmental Law Center would like to provide the following comments on scoping for the Hampton Roads Crossing Study (HRCS) Supplemental Environmental Impact Statement (EIS). SELC is a non-partisan, non-profit organization that works throughout Virginia to promote transportation and land use decisions that protect our natural resources, strengthen our communities, and improve our quality of life.

We recognize the significant congestion issues in Hampton Roads, highlighted most recently in the draft needs assessment for the VTrans Multimodal Transportation Plan. However, as this draft needs assessment and prior environmental documents for the HRCS have made clear, any solution for this region must incorporate multimodal transportation components and must adequately protect the sensitive environmental resources of this area. It is essential that this Supplemental EIS incorporate multimodal transportation options such as rail and transit into each of the build alternatives under consideration, and that it carefully consider and minimize the adverse impacts that would result from this project. This includes the potential for substantial impacts to aquatic resources such as wetlands, streams, and the Chesapeake Bay, as well as air pollution, climate change, and other impacts resulting from the project's potential to induce significant additional traffic and land development in the region.

Alternatives Analysis

For the Peninsula-Southside Crossing, the VTrans draft needs assessment notes that congestion and connectivity issues in the region are exacerbated by limited mode choice, and it identifies the need for crossings to provide dedicated transit access and better access to regional transit networks, as well as the need for additional transit options such as light rail, bus rapid transit, and/or rapid ferry service in the area.¹ This need for expanded travel options has long been recognized. The HRCS's initial 2001 Record of Decision (ROD) incorporated a multimodal tube in its preferred Candidate Build Alternative 9 ("CBA 9"),² and in its comments on the 1999 Draft EIS, Hampton Roads Transit identified the inclusion of a multimodal tube to accommodate high-occupancy vehicle, bus, and passenger rail service as a "critical element" of the project and an "integral part of any Phase I construction."³

¹ See VTrans Multimodal Transportation Plan, Hampton Roads Region Draft Needs (July 28, 2015), available at http://vtrans.org/vtrans_multimodal_transportation_plan_2025_needs_assessment.asp.

² 2001 Record of Decision at 3.

³ Letter from Michael Townes, Hampton Roads Transit to J.C. Cleveland, VDOT (Mar. 15, 2000).

In light of the continuing importance of alternative travel modes in alleviating traffic congestion and improving accessibility in the region, it is imperative that the Supplemental EIS incorporate dedicated multimodal facilities (such as the multimodal tube identified in the 2001 ROD's preferred alternative) into each build alternative. In addition, given the potential of alternative modes to substantially reduce the environmental impacts of this project, the Supplemental EIS should also evaluate expanded freight rail, passenger rail, bus, and bus rapid transit service individually and in combination as alternatives to expanded highway capacity that may satisfy all or a substantial part of the purpose and need of the project.

Environmental Impacts

The Supplemental EIS must also include a thorough analysis of the substantial effects this project would have on both natural and community resources in the study area, including impacts on various types of aquatic resources, endangered species, and historic and community resources, as well as the potential traffic and growth-inducing effects that a significant expansion in highway capacity would have. Recognizing the potential extent of these effects, the HRCS's original EIS stated in its list of needs for the project that "[o]f equal importance in planning for transportation needs in the Hampton Roads area is environmental protection and enhancement,"⁴ and it is crucial that this principle be carried forward into the purpose and need and scope for the Supplemental EIS as well, and rigorously applied in conducting the analysis for this document.

I. Aquatic Resources

Previous environmental documents for the HRCS and Hampton Roads Bridge Tunnel (HRBT) projects have made clear that significant damage to aquatic resources would result from constructing any of the build alternatives. This includes the loss of substantial wetland habitat, potentially over ten miles of water crossings, and significant dredging of the Elizabeth River. In comments on the 1999 Draft EIS, a number of state and federal agencies (including the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Institute of Marine Science) raised concerns about the extent of these dredging activities, such as potential negative effects on aquatic life and in stirring up contaminated sediments that could further degrade water quality in this area.⁵

These considerations are especially important today, given that the project is adjacent to the Chesapeake Bay and could impact the historic Total Maximum Daily Load (TMDL) designed to restore the Bay. This Supplemental EIS must include a thorough, updated evaluation of impacts to aquatic resources in the area, measures to mitigate and minimize these impacts, and the project's compliance with relevant water quality protection standards and safeguards such as the Chesapeake Bay TMDL. In addition, this analysis must assess the cumulative effects of the

⁴ 2001 Final EIS at 8.

⁵ See, e.g., Letter from Thomas Slenkamp, EPA to Earl Robb, VDOT (Mar. 15, 2000); Letter from Robert Hume III, Corps of Engineers to Ken Wilkinson, VDOT (Apr. 14, 2000); Letter from Ellen Gilinsky, DEQ to Ken Wilkinson, VDOT (Oct. 17, 2000); Letter from Thomas Barnard Jr., VIMS to Ken Wilkinson, VDOT (Feb. 4, 2000).

project with other “reasonably foreseeable” activities in the area, such as the construction of the Craney Island Eastward Expansion and the Craney Island Marine Terminal.⁶

II. Endangered Species

Previous environmental documents identified potential habitat for a number of threatened and endangered species in the project area, including the Loggerhead Sea Turtle, Kemp’s Ridley Sea Turtle, and the Piping Plover. It may be necessary as part of this Supplemental EIS to update previous Biological Assessments and/or reinitiate consultation for these species and others identified in the project area, and the SEIS must consider measures to minimize any potential effects to threatened and endangered species, such as the time of year restrictions on dredging that were incorporated into the 2001 ROD to avoid impacts on sea turtle populations.

III. Historic and Community Resources

The Supplemental EIS must also include an updated analysis of historic and community resources that may be affected. Of particular significance, the HRBT 2012 Draft EIS indicated that the build proposals for that project have the potential to impact numerous community facilities, parks and recreation areas, and historic sites (including Hampton Institute, Hampton National Cemetery, two battlefields, and a number of designated historic districts).⁷ To ensure that impacts to these and other important community resources in the region are adequately considered and minimized, the Supplemental EIS should incorporate updated Section 4(f), Section 106, and other necessary historic and cultural resource reviews.

IV. Induced Traffic and Development

Given that each of the HRCS build alternatives proposed thus far would add significant capacity to highly-traveled roadways, the Supplemental EIS must evaluate and compare the potential traffic- and growth-inducing effects of these proposals. For instance, the 2001 Final EIS projected that its preferred CBA 9 would add roughly 42,000 trips per day between the Peninsula and Southside, representing a 17% increase over the no-build scenario.⁸ As EPA noted in their comments on the Draft EIS, this substantial increase in highway capacity may increase pressure to convert farmlands, wetlands, and forests in the study area to residential and commercial use,⁹ and these secondary effects warrant careful consideration in the SEIS.

V. Air Quality and Climate Change

The potential increase in traffic and land conversion from the proposed project is also likely to impact air quality and greenhouse gas emissions. Not only is the projected increase in

⁶ Although the 2001 Final EIS acknowledged these future projects, it excluded them from its impacts analysis as not yet being “reasonably foreseeable” at that time. 2001 Final EIS at 274. However, as noted in the 2011 Environmental Assessment (EA) Reevaluation, construction of these projects is now underway, and thus they appear to clearly qualify as reasonably foreseeable projects that must be included in the HRCS analysis. 2011 EA Reevaluation at 39.

⁷ See HRBT 2012 Draft EIS at S-9; HRBT Draft Section 4(f) Evaluation at 17.

⁸ 2001 Final EIS at Table 4-2.

⁹ Letter from Thomas Slenkamp, EPA to Earl Robb, VDOT (Mar. 15, 2000).

traffic volume likely to increase emissions, but it is likely that a greater proportion of these future vehicles will be heavy, more polluting trucks due to the expansion of nearby port facilities that a number of the build alternatives are designed to help facilitate. These impacts must be studied. In addition, the project has the potential to further increase greenhouse gas emissions by spurring the conversion of important carbon sinks such as wetlands for development. These resources also serve the important function of providing natural resiliency to the impacts of climate change. These climate change-related issues are especially important for the Hampton Roads area, which is among the areas most threatened by future sea level rise in the world. Governor McAuliffe has recognized the urgent need to address these issues, recently reconvening the Governor's Climate Change Commission to help "prepare Virginia's coastal communities to deal with the growing threat of climate change."¹⁰ It is therefore imperative that the Supplemental EIS include a thorough analysis of these impacts, as well as potential mitigation measures.

Conclusion

Again, we recognize the need to address congestion in Hampton Roads and the importance of this study in helping to identify solutions. However, to be effective and improve quality of life in the region, any solution should incorporate multimodal elements and adequately protect the area's considerable natural and community resources. We urge you to incorporate the recommendations above in the scope of the upcoming Supplemental EIS, and we look forward to continuing to participate in this environmental review process as it moves forward.

Sincerely,



Trip Pollard
Director, Land and Community Program



Travis Pietila
Staff Attorney

cc: Edward Sundra, FHWA Virginia Division
Colonel Jason Kelly, Norfolk District, U.S. Army Corps of Engineers
Barbara Rudnick, U.S. EPA Region III
Jeffrey Lapp, U.S. EPA Region III
Jennifer Mitchell, DRPT
David Paylor, DEQ
Robert Crum, HRDPC
Dr. John Wells, VIMS

¹⁰ See Press Release, Governor McAuliffe Signs Executive Order Convening Climate Change and Resiliency Update Commission (July 1, 2014), available at <https://governor.virginia.gov/newsroom/newsarticle?articleId=5342>.

From: [Eric Almquist](#)
To: [andrew.griffey](#)
Subject: FW: Scoping Comments on the SEIS Hampton Roads Crossing Study
Date: Thursday, August 06, 2015 9:52:20 PM

Andrew – please add to the scoping agency comment package. Sierra Club is in the “other” category.

Thanks, Eric

From: Smizik, Scott (VDOT) [mailto:Scott.Smizik@vdot.virginia.gov]
Sent: Thursday, August 6, 2015 3:53 PM
To: Eric Almquist <ealmquist@rkk.com>; Deem, Angel N. (VDOT) <Angel.Deem@VDOT.Virginia.gov>
Subject: FW: Scoping Comments on the SEIS Hampton Roads Crossing Study

Eric –

Please add to the comment record. Note the email change and their collaboration.

From: Glen Besa [mailto:glen.besa@sierraclub.org]
Sent: Thursday, August 06, 2015 3:40 PM
To: Smizik, Scott (VDOT); [Ed.Sundra@dot.gov](#)
Subject: Scoping Comments on the SEIS Hampton Roads Crossing Study

Scott Smizik and Ed Sundra

We look forward to having an opportunity to comment more extensively on the Draft SEIS. Could you tell us the time line for the the NEPA and project approval process and when we can expect to see the Draft SEIS?

As to matters we'd like to see addressed in the SEIS, please accept these comments in this scoping process:

- It is critically important that transit be incorporated in any third crossing. Any configuration must provide a dedicated lane to accommodate rail or dedicated bus rapid transit
- We are concerned with increased air pollution from increased traffic especially in communities adjacent to this infrastructure project. As these improvements are linked to a major port expansion, the air pollution from increased truck traffic is a special concern.
- We are also concerned with wetlands impacts and dredging associated with this infrastructure project would like to see these impacts minimized and mitigated as much as possible.

These are the three major concerns we would like to see addressed in the Draft SEIS. Thank you for the opportunity to comment.

Glen Besa, Director
Sierra Club-Virginia Chapter
422 E. Franklin St, Suite 302
Richmond, VA 23219
glen.besa@sierraclub.org
P-804-387-6001
F-804-225-9114

<http://vasierraclub.org/>

On Thu, Aug 6, 2015 at 1:50 PM, Trip Pollard <tpollard@selcva.org> wrote:

Glen,

Thanks for sending.

As i mentioned in earlier email, we are drafting some brief comments as well. On quick read, largely hitting similar points. Hope to circulate shortly.

As for deadline, it was not in Register notice but was in VDOT notice of public meetings so we are planning file today

(http://www.virginiadot.org/newsroom/hampton_roads/2015/citizen_information_meetings_planned84574.asp)

From: Glen Besa [mailto:glen.besa@sierraclub.org]

Sent: Thursday, August 06, 2015 12:56 PM

To: Stewart Schwartz; Trip Pollard; Eileen Levandoski; Douglas Stewart; Skip Stiles; Bill Penniman

Subject: Stewart, Trip, Skip, Douglas - DRAFT Comments on the SEIS Hampton Roads Crossing Study

Folks,

Here is my draft on scoping comments on the 3rd crossing--best I could do with no real time to work on this. Please offer edits and advise if CSG and SELC would like to sign on or send a similar letter.

Should I conceded possible bus rapid transit or just mention rail?

We are under the impression that the comments are due today but the DOT official just said to get them in ASAP. I never found a formal scoping notice with a deadline for comments-- did any of you see it?

Thanks, Glen

Ed Sundra and Scott Smizik

Perhaps we missed a subsequent federal register notice after June 23, 2015, but we didn't see a formal notice with a deadline for comments on the SEIS scoping process for the Hampton Roads Crossing.

We look forward to having an opportunity to comment more extensively on the Draft SEIS. Could you tell us the time line for the the NEPA and project approval process and when we can expect to see the Draft SEIS?

As to matters we'd like to see addressed in the SEIS, please accept these comments in this scoping process:

- It is critically important that transit be incorporated in any third crossing. Any configuration must provide a dedicated lane to accommodate rail or dedicated bus rapid transit
- We are concerned with increased air pollution from increased traffic especially in communities adjacent to this infrastructure project. As these improvements are linked to a major port expansion, the air pollution from increased truck traffic is a special concern.
- We are also concerned with wetlands impacts and dredging associated with this infrastructure project would like to see these impacts minimized and mitigated as much as possible.

These are the three major concerns we would like to see addressed in the Draft SEIS. Thank you for the opportunity to comment.

Glen Besa, Director
Sierra Club Virginia Chapter

Glen Besa, Director

Sierra Club-Virginia Chapter
422 E. Franklin St, Suite 302
Richmond, VA 23219

glen.besa@sierraclub.org

P-[804-387-6001](tel:804-387-6001)

F-[804-225-9114](tel:804-225-9114)

<http://vasierraclub.org/>

Mae Breckenridge-Haywood

3704 Greenwood Drive

Portsmouth, VA 23701

African American Historical Society of Portsmouth, INC, President

August 6, 2015

RE: Project Number: 0064-965-081, P101

Proposed Action: Identification of Section 106 Contributing Parties

TO: Mary Ellen N. Hodges

Preservation Program District Coordinator

Dear Ms. Hodges:

I am in receipt of your letter of July 17, 2015 requesting that the society respond to identify the appropriate means to avoid, minimize, or mitigate any adverse effects of historical properties regarding historical properties near what we locals call, MLK Highway extension and many other names. I can assure you that the historical society has some very profound concerns about this project because it is the second round since the eighties that the Mt. Calvary Cemetery Complex/ Mt. Calvary, Mt. Olive, Fisher's Hill and Potter's Field have had very serious, continuous, and on-going effects.

As you may not know the society is of the fifth decade of a community group that has protested about the effects of the highway, Interstate, building, turmoil, etc. that has disturbed the peaceful resting place of the notable and historical ancestors that are interred in this historical cemetery in Portsmouth, VA. If some of the issues the society speaks to can be addressed the society and the ancestors will be singing praise for this good fortune.

I have sent your message to a city cemetery group to send me ideas about the adverse effect of the project to the historical property of the cemetery. I am attaching the few responses which all pertain to the major issue of **drainage** by this project which is really 30 years old and has not been fixed. There were other issues that the representative from VDOT spoke of which has not been done also. That issue was that Mr. Ken Stuck said that VDOT would provide an historical marker for the cemetery. Other issues the society spoke of which may not be in the range of adverse effect but would certainly improve the cemetery image was additional signage and being listed on the National Register of Historic places and the VA Landmark Register. There is just so much a small community organization as AAHSP can do, but with the wealth of professionals and people tied to this project some of the perks of a new project should give to the historical property and should/could be something VDOT and others

involved in this project could provide. This would certainly be good partnership for the community and the region.

I am attaching the comments from the cemetery group to answer your request.

Regards,

A handwritten signature in cursive script that reads "Mae Breckenridge Haywood". The signature is written in black ink and is positioned above the printed name.

Mae Breckenridge-Haywood, President

African American Historical Society

3704 Greenwood DR

Portsmouth, VA 23701

PS: Please use my home address in reference to the museum, cemetery and society

July 28, 2015

All Cemetery group;

I need your help ASAP. I need to respond, but I want your sincere input. If we say nothing to VDOT then we are labeled...there was no response.... LET US RESPOND.

I have a letter from VDOT for July 17, 2015 which the AAHSP is listed as a consulting party and want the society to "provide comment to the applicable federal agency and its agent (VDOT) on their efforts to identify and assess potential project effects on historic properties and identify appropriate means to avoid, minimize, or mitigate any adverse effects."

The last sentence is exact as printed in the letter received.

This response hopefully could be added to the **Supplemental Environmental Impact Statement (SEIS)** to re-evaluate the Hampton Roads Crossing Study (HRCS)

- 1) The key or major adverse effect of **Project Number: 0064-965-081, P101** is that the increased water drainage of this project is now "out of control" to the **historical Cemetery**, the Mt. Calvary Cemetery Complex: Mt. Calvary, Mt. Olive, Fisher's Hill and Potter's field. Mae Breckenridge-Haywood, President, AAHSP, Inc.

Additional responses from Cemetery Committee and members of African American Historical Society.

- 2) **It is my observation that work on the MLK, Jr Extension has caused more blockage to the drain pipes. Notably on the other (North) side of Interstate 264. The water blockage is affecting grave sites with stones sinking and increased deterioration. It will also affect Engineers working on cemetery site plans. Hopefully, VDOT and any other institutions, working on the MLK project, will address the concerns/problems ASAP. 7/29/15**

Respectfully,
Charles E Johnson, Jr.
Historian by Nature

July 28, 2015

- 3) Well with all the construction that is going on, it is not helping the flooding issue. Water runs off the interstate and pours over into where the cemetery is located and at that point, there is no where for the water to go. That also creates dirt erosion. I hope there are no bodies buried next to the interstate. The water needs to drain out to the main water sewer. I have no idea which sewer line it would drain into because everybody knows how bad des moines ave floods after a heavy rain, the cars can't even pass through by the underpass almost to where the cemetery is located.

Besides the water overflow from the interstate and the water drainage issues, the construction does not allow access to the rear by vehicle. Unless that is how it was supposed to be. I can not remember how the original map of the cemetery looked like but I thought it had pathways almost in a grid like manner



CITY MANAGER

CITY OF SUFFOLK

P.O. BOX 1858, SUFFOLK, VIRGINIA 23439-1858 PHONE: (757) 514-4012



August 5, 2015

Ms. Mary Ellen N. Hodges
Preservation Program District Coordinator
Commonwealth of Virginia
Department of Transportation
1401 East Broad Street
Richmond, Virginia 23219-2000

Re: Project Number: 0064-965-081, P101
UPC: 106724
Identification of Section 106 Consulting Parties

Dear Ms. Hodges:

In response to your letter dated July 17, 2015, in regard to the above referenced project, please be advised that the City of Suffolk desires to participate in the Hampton Roads Crossing Study as a consulting party to the Section 106 process. Thank you for your invitation to participate. Scott Mills, Interim Deputy City Manager will be the City of Suffolk's point of contact in regard to this matter. He can be reached at (757) 514-4070.

Sincerely,

Patrick Roberts
Interim City Manager

pc: Scott Mills, Interim Deputy City Manager

CARTER B. S. FURR
Attorney at Law
333 West Freemason Street
Suite 100
Norfolk, Virginia 23510
Telephone: (757) 622-2258
Fax: (757) 622-2259
E-mail: CBSFURR@att.net
August 4, 2015

Ms. Mary Ellen N. Hodges
Preservation Program District Coordinator
Virginia Department of Transportation
1401 East Broad Street
Richmond, VA 23219-2000

Re: Section 106 Consulting Party Invitation
Hampton Roads Crossing Study
Project: 0064-965-081, P101; UPC 106724
Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Suffolk
Virginia

Dear Ms. Hodges:

Thank you for your letter advising that the Norfolk Preservation Alliance may request status as a consulting party to this project. On behalf of the Norfolk Preservation Alliance, we do request to be a consulting party under the Section 106 regulations I hope you will take care to list us as such.

The official address of the Norfolk Preservation Alliance is P. O. Box 3338, Norfolk, VA 23514, but since I will be the point of contact, you may list me at my office address noted on this correspondence. We look forward to receiving further information, especially any concerning properties of historical significance that may be affected by this project.

Thanking you for your attention, I am
Sincerely yours,



Carter B. S. Furr
Vice President, Norfolk Preservation Alliance.

Virginia Beach Hotel Association



August 4, 2015

Mr. Scott Smizik
VDOT Project Manager
1401 East Broad Street
Richmond, Virginia 23219

Dear Mr. Smizik,

The Virginia Beach Hotel Association, representing approximately 80 hotels, appreciates the opportunity to offer our thoughts on the Supplemental Environmental Impact Statement (SEIS) regarding the re-evaluation of the Hampton Roads Crossing Study. By far, the number one traffic concern for Virginia Beach tourists is the Hampton Roads Bridge Tunnel. We understand that the SEIS, among other things, will evaluate the Patriot's Crossing project and an additional tunnel. In our opinion, both projects are needed.

The Patriot's Crossing will help alleviate truck traffic on Hampton Boulevard, provide some relief to the HRBT situation, and allow the port to grow and flourish. Another tunnel project at the HRBT will go even further to relieve the unbelievable congestion that occurs daily, and allow for much needed maintenance work on the existing tunnels which are showing their age.

We are also in support of a tolling strategy in order to build these projects. This is an issue of great concern to our industry, and we are ready to participate in any way necessary as the SEIS process moves forward.

Sincerely,



Joseph DaBiero
President

cc: VBHA Board of Directors

1023 Laskin Road, Suite 111 • Virginia Beach VA 23451
757-428-8015 • Fax: 757-425-3760
VirginiaBeachHotelAssociation.com
[facebook.com / VirginiaBeachHotelAssociation](https://facebook.com/VirginiaBeachHotelAssociation)



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

August 3, 2015

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, Virginia 23219

RE: Scoping comments for the Hampton Roads Crossing Study Supplemental Environmental Impact Statement, the Cities of Chesapeake, Hampton, Newport-News, Norfolk, Portsmouth, Suffolk, Virginia Beach, and Isle of Wright County

Dear Mr. Smizik:

The U.S. Environmental Protection Agency (EPA) has received and reviewed Virginia Department of Transportation's (VDOT) June 19, 2015 letter regarding the scoping of the Hampton Roads Crossing Study's Supplemental Environmental Impact Statement (SEIS). EPA has reviewed your letter and information provided at the July 21, 2015 Agency Scoping meeting in conjunction with our responsibilities under the National Environmental Policy Act (NEPA), the Clean Water Act (CWA) and Section 309 of the Clean Air Act. As limited information is provided in your letter, we are able to provide only general recommendations at this time.

Information regarding the purpose and need, alternatives analyzed, avoidance and minimization of resources, indirect and cumulative effects for the proposed project should be included in the SEIS. The SEIS should include a clear and robust justification of the underlying purpose and need for the proposed action. The purpose and need statement is important because it helps explain why the proposed action is being undertaken and what objectives the project intends to achieve. The purpose of the proposed action is typically the specific objective of the activity. The need should explain the underlying problem for why the project is necessary. Alternatives analysis should include the suite of other activities or solutions that were considered and the rationale for not carrying these alternatives forward for detailed study. Up-to-date data to support project need and identification of current environmental conditions is important to the assessment.

The document should describe potential impacts to the natural and human environment. Existing resources should be identified and EPA encourages that adverse impacts to natural resources, especially wetlands and other aquatic resources, be avoided and minimized wherever possible. Stormwater ponds, best management practices (BMPs) and staging areas should not be located in wetlands and streams. EPA recommends the SEIS contain a level of information and analysis adequate to document compliance with the Clean Water Act § 404(b)(1) Guidelines, including characterization of the chemical, physical, and biological features of aquatic resources, alternatives and mitigation sequencing: first avoid, next minimize, then compensate for impacts that cannot be avoided or minimized. Direct, indirect, and cumulative impacts should be included. If a

mitigation bank is proposed, details should be included in the proposed SEIS. EPA suggests coordinating with other appropriate federal, state and local resource agencies on possible impacts to wetlands, streams and/or rare, threatened and endangered species.

The SEIS should be consistent with Executive Order (EO) 11988 Floodplain Management. Though the EO is new, it is clear that the intent is for the Federal government to be cognizant in planning of the changes that have been observed associated with climate and the potential for increased flood occurrence and intensity. It would be prudent to evaluate alternatives in relation to the 500 year flood plan (or other approach), which is typically identified on mapping. If any alternatives are particularly vulnerable or impactful of the larger floodplain area, we recommend to assess and disclose as part of alternatives analysis.

In addition, we recommend that climate change issues be analyzed consistent with the Council on Environmental Quality's (CEQ) December 2014 revised draft guidance for Federal agencies' consideration of greenhouse gas (GHG) emissions and climate change impacts when conducting environmental assessments under NEPA. Accordingly, we recommend the Draft EIS include an estimate of the GHG emissions associated with the project, qualitatively describe relevant climate change impacts, and analyze reasonable alternatives and/or practicable mitigation measures to reduce project-related GHG emissions. In addition, we recommend that the NEPA analysis evaluate alternative designs to incorporate resilience to foreseeable climate change. The Draft and Final EIS should make clear whether commitments have been made to ensure implementation of design or other measures to reduce GHG emissions or to adapt to climate change impacts. More specifics on GHG and climate change considerations are provided in the enclosure.

Relevant studies that have evaluated potential climate change and flood risk issues in the Norfolk area should be reviewed. It is our understanding that the Norfolk District of the Army Corps of Engineers performed such a study recently (2013) and prepared a report of findings. Plans were considered to reduce flood risk to public, health, safety and property in Norfolk associated with coastal flooding from storm events. Consideration was given to land subsidence and sea level rise forecasts for a 50-year planning horizon. The information should be reviewed to determine if data or findings from the report are transferable to the current project.

Based on the setting of the proposed project, there may be fewer natural resource impacts and greater potential impacts to surrounding community. EPA suggests that an evaluation of community impacts, including noise, vibration, light and possible traffic impacts be included in the document. This analysis is particularly important as this type of facility could be disruptive to surrounding communities and sensitive receptors. Description of communication methods to keep the community informed on progress and phases of the project should be included in the EIS. Potential air impacts and general conformity should be included in the SEIS. The SEIS should also include an analysis of any hazardous sites or materials, and the status of any ongoing or past remediation efforts in the project area. Environmental Justice (EJ) should also be evaluated, including the identification of potential communities of concern, and meaningful and timely community involvement, public outreach, and access to information. It appears that methodology is consistent with revisions made for the Route 460 project. We would be pleased to review approaches and findings with VDOT and our EJ expert analyst. Consideration should also be given to all potential impacts to at-risk populations, as well as consideration to sensitive subpopulations, possibly including elderly, children (consistent with EO 13045) and others. We encourage VDOT to

conduct comprehensive coordination and outreach to the surrounding communities and populations. Adverse community impacts should also be avoided, minimized and mitigated.

EPA strongly encourages a thorough cumulative impact analysis for past, present and reasonably foreseeable projects occurring in the project area. It is suggested that an indirect and cumulative effects analysis begin with defining the geographic and temporal limits of the study; this is generally broader than the study area of the project. We would be pleased to review proposed temporal and geophysical boundaries. The assessment should identify resources potentially impacted by the current project and the study should provide detailed discussion of past impacts to these identified resources. The study should assess potential indirect and cumulative effects to resources in the project area; analysis may aid in the identification of resources that are likely to be adversely affected by multiple projects and sensitive resources that could require additional protective measures. We suggest VDOT consider convening a panel of experts in addition to local officials to evaluate potential areas for induced growth and cumulative impacts. Impacts to each resource should be thoroughly evaluated and mitigation for these impacts discussed. Also, consideration should be given to potential indirect and cumulative effects on sensitive receptors including children's health in current conditions and in combination with foreseeable projects identified in the EIS.

Thank you for coordinating with EPA on this project. Thank you for your consideration of the topics mentioned above and other factors that may arise during the scoping process or during the preparation of the SEIS. We look forward to working with you to refine topics that are developed and analyzed; and encourage use of partnering meetings for this project to keep agencies informed and engaged and to facilitate information exchange in the study. If you have any questions or would like to discuss our comments, the staff contact for this project is Ms. Barbara Okorn; she can be reached at 215-814-3330.

Sincerely,



Barbara Rudnick
NEPA Team Leader
Office of Environmental Programs

Enclosure

cc: John Simkins, FHWA

Enclosure
Climate Change and Greenhouse Gas Considerations

We suggest the following approach with consideration of climate change and greenhouse gas:

“Affected Environment” Section:

* Include in the “Affected Environment” section of the Draft EIS a summary discussion of climate change and ongoing and reasonably foreseeable climate change impacts relevant to the project, based on U.S. Global Change Research Program¹ assessments, to assist with identification of potential project impacts that may be exacerbated by climate change and to inform consideration of measures to adapt to climate change impacts. (Among other things, this will assist in identifying resilience-related changes to the proposal that should be considered).¹

“Environmental Consequences” Section:

* Estimate the GHG emissions associated with the proposal and its alternatives. Example tools for estimating and quantifying GHG emissions can be found on CEQ’s NEPA.gov website². For actions which are likely to have less than 25,000 metric tons of CO₂-e emissions/year, provide a qualitative estimate unless quantification is easily accomplished. In most cases quantification of GHG emissions involves a relatively straightforward calculation. In addition to estimating emissions caused by the proposal itself, we recommend estimating the reasonably foreseeable emissions from “upstream” and “downstream” activities indirectly caused by the proposal.³

* The estimated GHG emissions can serve as a reasonable proxy for climate change impacts when comparing the proposal and alternatives. In disclosing the potential impacts of the proposal and reasonable alternatives, consideration should be given to whether and to what extent the impacts may be exacerbated by expected climate change in the action area, as discussed in the “affected environment” section

* Describe measures to reduce GHG emissions associated with the project, including reasonable alternatives or other practicable mitigation opportunities and disclose the estimated GHG reductions associated with such measures.

The Draft EIS alternatives analysis should, as appropriate, consider practicable changes to the proposal to make it more resilient to anticipated climate change. EPA further recommends that the Final EIS and Record of Decision commits to implementation of reasonable mitigation measures that would reduce or eliminate project-related GHG and to resilient design.

1 <http://www.globalchange.gov/>

2 https://ceq.doe.gov/current_developments/GHG_accounting_methods_7Jan2015.html

3 Recognizing that climate impacts are not attributable to any single action, but are exacerbated by a series of smaller decisions, we do not recommend comparing GHG emissions from a proposed action to global emissions. As noted by the CEQ revised draft guidance, “[t]his approach does not reveal anything beyond the nature of the climate change challenge itself: [t]he fact that diverse individual sources of emissions each make relatively small additions to global atmospheric GHG concentrations that collectively have huge impact.”



(757) 933-2311

City of Newport News

Department of Engineering
2400 Washington Avenue
Newport News, Virginia 23607

Fax (757) 926-8300

RECEIVED

AUG 1 2015

ENVIRONMENTAL DIVISION

August 3, 2015

Ms. Mary Ellen N. Hodges
Preservation Program District Coordinator
Environmental Division
Virginia Department of Transportation
1401 E. Broad Street
Richmond, Virginia 23219

Re: Identification of Section 106 Consulting Party
Hampton Roads Crossing Study - Supplemental Environmental Impact Study
Project Number: 0064-965-081, P101 UPC: 106724

Dear Ms. Hodges:

Thank you for seeking the City of Newport News participation in the preparation of the Supplemental Environmental Impact Study (SEIS) for the Hampton Roads Crossing Study (HRCS). It is the City's desire to be a consulting party to the Section 106 process of the SEIS as the project has the potential for significant impact to the City. Britta Ayers, Manager of Comprehensive Planning, will serve as the point of contact for the City and may be contacted by email at bayers@nnva.gov or by phone at (757) 926-8074.

Sincerely,

A handwritten signature in blue ink, appearing to read "E. Skipper".

Everett P. Skipper, PE, BCEE
Director of Engineering

EPS/KBS/wjr

pc: *AM C. Reiff*
Director of Planning, S. McAllister
Manager of Comprehensive Planning, B. Ayers

U.S. Department of
Homeland Security

United States
Coast Guard



Commanding Officer
United States Coast Guard
Base Portsmouth

4000 Coast Guard Blvd.
Portsmouth, VA 23703-2199
Staff Symbol: (f)
Phone: 757-483-8590

11000

JUL 31 2015

Commonwealth of Virginia
Department of Transportation
Attn: Ms. Mary Ellen N. Hodges
1401 East Broad Street
Richmond, VA 23219-2000

Dear Ms. Hodges,

Thank you for the invitation to participate as a consulting party to the Section 106 process for the Hampton Roads Crossing Study. U.S. Coast Guard Base Portsmouth does desire to participate as we have concerns regarding the proposed location and operational impact of the study, specifically; the newly proposed "Patriot's Crossing". As alternatives are identified or modified, we will need to further evaluate the impact of the Study on Coast Guard operations and historic properties.

Please contact myself and/or my Facility Engineer, LCDR Colleen Symansky at 757-483-8503, with future information on the Hampton Roads Crossing Study or meeting locations.

Sincerely,

A handwritten signature in black ink that reads "B. K. Kerr".

B. K. Kerr
Captain, U. S. Coast Guard
Commanding Officer

From: [Eric Almquist](#)
To: [andrew.griffey](#); [Nicholas Nies](#)
Subject: FW: Hampton Roads Crossing Study SEIS
Date: Friday, July 31, 2015 9:27:34 AM
Attachments: [levine_state.pdf](#)
[ATT00001.htm](#)
[Environmental Justice Reports.pdf](#)
[ATT00002.htm](#)
[All_charts-Hampton_Roads_Crossing2-charts.xlsx](#)
[ATT00003.htm](#)
[HamptonRoads-EnvHealthEquity_edit1.pptx](#)
[ATT00004.htm](#)

From: Smizik, Scott (VDOT) [mailto:Scott.Smizik@vdot.virginia.gov]
Sent: Wednesday, July 29, 2015 4:49 PM
To: Eric Almquist <ealmquist@rkk.com>
Subject: Fwd: Hampton Roads Crossing Study SEIS

Begin forwarded message:

From: "Soto, Roy (VDH)" <Roy.Soto@vdh.virginia.gov>
To: "Smizik, Scott (VDOT)" <Scott.Smizik@vdot.virginia.gov>
Cc: "McFadden, Adrienne (VDH)" <Adrienne.McFadden@vdh.virginia.gov>, "Levine, Marissa (VDH)" <Marissa.Levine@vdh.virginia.gov>, "Trump, David (VDH)" <David.Trump@vdh.virginia.gov>, "Hilbert, Joseph (VDH)" <Joe.Hilbert@vdh.virginia.gov>, "Gordon, Christopher (VDH)" <Christopher.Gordon@vdh.virginia.gov>, "Glasheen, Nancy (VDH)" <Nancy.Glasheen@vdh.virginia.gov>, "Knapp, Allen (VDH)" <Allen.Knapp@vdh.virginia.gov>, "Hicks, Robert (VDH)" <Robert.Hicks@vdh.virginia.gov>, "Douglas, Susan (VDH)" <Susan.Douglas@vdh.virginia.gov>, "Aulbach, John (VDH)" <John.Aulbach@vdh.virginia.gov>, "Warren, Arlene (VDH)" <Arlene.Warren@vdh.virginia.gov>, "Bowles, James (VDH)" <Jim.Bowles@vdh.virginia.gov>, "Teule-Hekima, Nzinga (VDH)" <Nzinga.Teule-Hekima@vdh.virginia.gov>, "Lindsay, Demetria (VDH)" <Demetria.Lindsay@vdh.virginia.gov>, "Chang, David (VDH)" <David.Chang@vdh.virginia.gov>, "Welch, Nancy (VDH)" <Nancy.Welch@vdh.virginia.gov>, "Kulberg, Heidi (VDH)" <Heidi.Kulberg@vdh.virginia.gov>, "Heisey, William (VDH)" <William.Heisey@vdh.virginia.gov>, "King, Kisha (VDH)" <Kisha.King@vdh.virginia.gov>, "Roadcap, Dwayne (VDH)" <Dwayne.Roadcap@vdh.virginia.gov>, "Henderson, Julie (VDH)" <Julie.Henderson@vdh.virginia.gov>, "Skiles, Keith (VDH)" <Keith.Skiles@vdh.virginia.gov>, "Revis, Danna (VDH)" <Danna.Revis@vdh.virginia.gov>, "Tiller, David (VDH)" <Dave.Tiller@vdh.virginia.gov>, "Horne, Clifton (VDH)" <Dan.Horne@vdh.virginia.gov>, "Smith, Carol S. (VDH)" <Carol.Smith@vdh.virginia.gov>, "Duell, Jay (VDH)" <Jay.Duell@vdh.virginia.gov>, "Bennett, Harry (VDH)" <Harry.Bennett@vdh.virginia.gov>, "Gregory, Lance (VDH)" <lance.gregory@vdh.virginia.gov>, "Pemberton, Amy (VDH)" <Amy.Pemberton@vdh.virginia.gov>
Subject: RE: Hampton Roads Crossing Study SEIS

Project Name: Hampton Roads Crossing Study SEIS

Project #: 0064-965-081-P101

UPC #: 106724

Location: Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach, and Isle of Wight County

VDH – Office of Drinking Water has reviewed the above project. Below are our comments as they relate to proximity to **public drinking water sources** (groundwater wells, springs and surface water intakes). Potential impacts to public water distribution systems or sanitary sewage collection systems **must be verified by the local utility.**

The following public groundwater wells are located within a 1 mile radius of the project site (**wells within a 1,000 ft radius are highlighted in red**):

PWSID	District	CNYCTY	SYSNAME	FACNAME
3550775	20B	CHESAPEAKE	SUNRAY ARTESIAN WATER SUPPLY	DRILLED WELL

The following surface water intakes are located within a 5 mile radius of the project site:

PWSID	SYSNAME	FACNAME
3710100	NORFOLK, CITY OF	IN-TOWN LAKES

The project is not within the watershed of any public surface water intakes.

Best Management Practices should be employed on the project site including Erosion & Sedimentation Controls as well as Spill Prevention Controls & Countermeasures.

Care should be taken while transporting materials in and out of the project site, as to prevent impacts to surface water intakes within 5 miles.

There may be impacts to public drinking water sources due to this project if the mitigation efforts outlined above are not implemented.

Regards,

Roy Soto, PE, PMP

Special Projects Engineer

Virginia Department of Health, Office of Drinking Water

James Madison Building

109 Governor St, Room 628

Richmond, VA 23219

804.864.7516 (D)

www.vdh.virginia.gov/ODW/SourceWaterPrograms

Comments From VDH – Office of Environmental Health Services, Division of Onsite Sewage and Water Services:

I queried the local health districts as well as the OEHS staff for input on the request. This e-mail is our response. If you need additional information or interpretation of any of this information, please let me know. We will be happy to continue to participate in this project.

In regard to the question about environmental justice, Danna Revis queried the EPA [EJScreen Report](#) for the areas included (**see attached PDF file titled “Environmental Justice Reports”**). Those reports are attached. In addition, she produced the **attached spreadsheet** which summarizes the data. This information shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the selected block group or buffer area compares to the entire state, EPA region, or nation. For example, if a given location is at the 95th percentile nationwide, this means that only 5 percent of the US population has a higher block group value than the average person in the location being analyzed.

The Norfolk Naval Base, Hampton, and Newport News segments show populations with percentiles exceeding 70 in Demographic Index, Minority Population, Low Income Population, and Population with less than HS Education will be affected by construction of the crossing.

In regard to the question concerning known health issues affecting low-income and minority populations, OEHS has no information.

In regard to the request for other information, we offer these comments:

1. The location of the proposed construction looks as though it will cross either directly over or very near the Hampton Roads Sanitation District (HRSD) Nansemond Sewage Treatment Plant outfall diffuser. If the construction requires that the outfall be relocated, it will require adjustment of shellfish closure zones and may impact currently open harvest areas.
2. This area is primarily public sewer and public water supply, so there would be a limited number of wells/septic in the area. Without the benefit of street addresses to review files, it would be hard for us to make an accurate assessment of the impact this project may have on that.
3. It appears that the area involved within Portsmouth is Federal property and should be analyzed through their domain.

4. 664 is the only part in Suffolk. Unless there is a major widening of the existing 664, I do not see an impact.

I believe that comment #4 is reflective of the general feeling that any comments provided before more specific information is available can only be very general in nature. I know that at least one district EH manager is planning to attend one of the public meetings. I'm sure that everyone involved would be willing to review any new or more specific information and to comment again.

Thanks,
Jim Bowles

Comments From VDH – Office of Environmental Health Services, Division of Onsite Sewage and Water Services:

Please find OMHHE's input attached (**see attached PowerPoint file**). Let me know if you require anything further.

Thanks,

Adrienne McFadden, MD, JD, FACEP, FAAEM, FCLM
Director, Office of Minority Health and Health Equity (OMHHE)
Virginia Department of Health
109 Governor Street, Suite 1016-E
Richmond Virginia 23219
office: (804) 864-7425
fax: (804) 864-7440

Comments From VDH – Virginia Beach Health District:

I have reviewed the attached letter and map. From what I can see the enclosed area does not encompass Virginia Beach. I therefore do not have any specific comments to offer. I do appreciate you reaching out to districts within the area.

Heidi

Heidi A. Kulberg, MD, MPH
Health Director, Virginia Beach Dept. of Public Health
4452 Corporation Lane
Virginia Beach, VA 23462
Office: 757-518-2672
Direct: 757-518-2630

Comments From VDH – Western Tidewater Health District:

From the map included in this memo I can't imagine that there would be issues or any impact by the proposed project that are related to low-income and minority populations. The new development does not even appear to come into the city of Chesapeake.

Nancy Welch, MD, MPH
Acting District Director
(757) 514-4705

From: Smizik, Scott (VDOT)
Sent: Friday, June 19, 2015 12:08 PM
To: Levine, Marissa (VDH)
Cc: Aulbach, John (VDH)
Subject: Hampton Roads Crossing Study SEIS

Good afternoon –

Please find the attached scoping letter for the Hampton Roads Crossing Study Supplemental Environmental Impact Statement. We look forward to working with your office on this study. If you have any questions, please do not hesitate to contact me.

Scott Smizik

Location Studies Project Manager
Virginia Department of Transportation
Environmental Division
1401 East Broad Street
Richmond, Virginia 23219
Desk: (804) 371-4082
Cell: (804) 306-0920
Fax: (804) 786-7401
Scott.Smizik@VDOT.Virginia.gov



John F. Reinhart
CEO/Executive Director

Virginia Port Authority
600 World Trade Center
Norfolk, VA 23510

July 30, 2015

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, VA. 23219

Re: Hampton Roads Crossing Study

Dear Mr. Smizik:

Thank you for the opportunity to comment on the above-referenced project and for the invitation to participate in the development of the Supplemental Environmental Impact Statement (SEIS). The Virginia Port Authority (VPA) appreciates the Virginia Department of Transportation's (VDOT) support of transportation improvements that increase efficient freight movement through the Port of Virginia and from the Port of Virginia to the businesses and citizens of the Commonwealth and beyond. Comments are enclosed.

The Port of Virginia is the only major Port on the US East Coast that does not have any air draft restrictions and is the only East Coast port authorized to deepen to 55 feet. These are significant strategic advantages for Virginia and these key attributes must be preserved as transportation improvements are being planned and considered. The Harbor Crossing study area is located at the entrance to the Port. As alternatives, are developed, we respectfully request that the following be carefully considered:

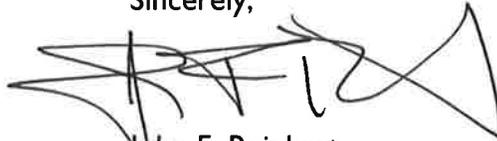
Air Draft: One of the most valuable features of the Port of Virginia is our unrestricted navigation channels. The Port is able to serve the largest cargo vessels in the world because of its naturally deep harbor and no air draft restrictions. This is a highly desirable and strategically important advantage to preserve.

55-foot Channel Authorization: The Norfolk Harbor Channel is the only East Coast port authorized to be deepened to -55 feet at mean low water (MLW). The U.S. Army Corps of Engineers and Port Authority have partnered to study the recommended future depth of the main channel. Any proposed tunnel structure must be placed deep enough to allow for future deepening and maintenance dredging. The channel width is presently 1,000 feet. Any future deepening of the channel *may* require an increase in channel width.

Deep Water Anchorages: The 50-foot and 55-foot deep water anchorages are regularly occupied by bulk cargo carriers and container vessel servicing the Port of Virginia and are essential for navigation safety within the Port. Any improvements within the defined study area should not impact or result in elimination of existing deep water anchorages.

Additional transportation capacity across the harbor with a modern tunnel is an important need for continued Regional and Port growth. Thank you for the opportunity to comment and for the invitation to participate in the SEIS. If additional information is needed, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'John F. Reinhart', with a large, stylized flourish extending to the right.

John F. Reinhart
CEO and Executive Director

The following responses correspond with the questions as provided in the letter dated June 19, 2015.

1. Mapping of area terminals (please see attached).
2. The following data is provided on mode splits at the Port's container terminals:
 - During fiscal year 2015, the intermodal breakdown of container cargo imported and exported via The Port of Virginia was as follows:
 - Truck: 64%
 - Rail: 32%
 - Barge: 4%
 - Intermodal breakdown for FY2015 by facility for container cargo is as follows:
 - NIT: Truck – 57%, Rail – 40%, Barge – 3%
 - VIG: Truck – 70%, Rail – 25%, Barge – 5%
 - PMT: Truck – 85%, Rail – 12%, Barge – 4%;

*Please note, the PMT rail percent of cargo reflects how cargo arrives/leaves the Hampton Roads region. Almost all of PMT's rail cargo is currently drayed by truck to/from either VIG or the CSX rail ramp where it is ramped to or de-ramped from rail.

- All roll-on roll-off automobile cargo handled at NNMT leaves the facility by car carrier truck.
 - The overall port-wide intermodal breakdown percentages are driven by the inland markets the port services as well as the port's capabilities and infrastructure. The individual terminal intermodal breakdown percentages are driven by each terminal's capabilities and capacity.
3. The Port does not track data on roads used by trucks once they depart the Port. However, studies have been produced by the TPO that show truck volumes and congestion by major Gateway entering and exiting the Region. Tolls have not been studied by the Port nor have they been considered in the Port's expansion plans. The following data is provided:
 - The port handled 18,094,399 short tons of cargo during the first 11 months of fiscal 2015, including containerized, ro-ro and breakbulk cargo imported and exported via the Virginia Port Authority-owned and leased facilities in the harbor. The port is expected to finish fiscal 2015 handling more than 19.7 million short tons of cargo.
 - The port handled 1,319,726 containers from July to May of fiscal 2015. The port is expected to finish fiscal 2015 with more than 1.4 million containers.

- Please see below projected Port of Virginia long-term container volumes from the 2015 Consulting Engineer’s report.

Table 4 – The Port of Virginia Containerized Cargo Demand

Fiscal Year	Containers	Growth Rate over Previous Fiscal Year
2010	1,050,254 (actual)	
2011	1,091,620 (actual)	3.94%
2012	1,130,999 (actual)	3.61%
2013	1,242,777 (actual)	9.88%
2014	1,319,514 (actual)	6.17%
2015	1,406,460	6.59%
2016	1,463,034	4.02%
2017	1,537,950	5.12%
2018	1,612,619	4.86%
2019	1,683,275	4.38%
2020	1,750,353	3.98%
2021	1,819,482	3.95%
2022	1,886,673	3.69%
2023	1,950,892	3.40%
2024	2,011,859	3.13%

4. The 500 mile radius for trucks/rail is an oversimplification of a complex topic. Local factors greatly influence the decision to use trucks vs. rail and include, but are not limited to:

- Time sensitivity of the cargo
- Proximity to intermodal rail facilities
- Opportunity to use existing train services (i.e. is there scheduled rail service between the origin and destination)
- Weight of the cargo
- Volume of cargo
- Fuel cost
- Efficiency/accessibility of highway networks

For example, the Virginia Inland Port is a rail-served facility located approximately 215 miles from Norfolk that is served by rail from the Port because it is located along an existing intermodal corridor from the Hampton Roads ports to other major inland rail centers.

5. The Panama Canal expansion project will add a third lock capable of handling much larger ships. The most recent schedule estimates completion of the canal expansion in 2016. The expansion will allow larger vessels, exceeding TEU capacities of 12,000, to transit the Canal. The rate at which traffic will increase is debatable in part because

the Panama Canal Authority has not set toll rates. The expanded Panama Canal may induce some carriers to begin sending larger vessels (carrying more cargo) through the waterway. However, the Port does not foresee this to result in a significant “step-up” of containerized cargo destined to the East Coast ports, as the carriers have already increased their use of the Suez Canal. A growing market for goods produced in India and parts of Southeast Asia has created more opportunities for carriers to increase services and deploy larger vessels on Suez routings, thus presenting shippers with greater possibilities for competitive rates on those services.

6. The Port is in the early design phase of expanding capacity at Norfolk International Terminals, through construction of a new gate at NIT North which will connect to the new I-564 Connector. In addition, the Port is in the early stages of procuring new container handling equipment to increase the capacity of NIT. Phase I will be complete in 2016 and additional phases will be built over the next 3-5 years as needed to accommodate container growth. At completion, NIT's capacity would increase from 1.4 million containers to 2.2 million containers. The Port is also in negotiations with the owners of the Virginia International Gateway and anticipates constructing Phase 2 of that terminal within the next 3-4 years which will double its current capacity to 2.1 million containers. Planned improvements at these terminals are anticipated to provide adequate capacity to meet container demand until approximately 2030 when the Craney Island Terminal will be needed.
7. The Port leases Virginia International Gateway through 2030 and the Port of Richmond through 2031. Both leases are being negotiated for longer terms to permit capital investments for planned Port growth.
8. The Craney Island Marine Terminal project is a phased construction of a state-of-the-art 5 Million TEU container terminal, with the initial phase opening in the late 2020's/early 2030s and will be incrementally built as demand warrants. In general, the Port of Virginia seeks to align its shipline customers with the most cost-effective terminal that meets the shipline's needs. Introduction of a new state-of-the-art terminal is anticipated to cause shifts in freight activity as the Port seeks to maximize use of its most efficient terminals.
9. The Port has permits to construct the eastward expansion of Craney Island. The 55 channel was authorized in 1986. The Port and the Corps of Engineers have partnered to complete a General Re-Evaluation Report (scheduled to be complete in 3 years) to determine the appropriate and most beneficial depth for the channel to accommodate larger vessels calling the Port.
10. Further transportation studies are needed to provide data on whether there is merit to separating freight and local traffic.

11. The Port and the Corps of Engineers worked to reserve a ROW corridor along the east side of Craney Island for the alternative shown connecting I64 to the Hampton Roads crossing.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

July 30, 2015

Mr. Edward Sundra
Director of Program Development
Federal Highway Administration- Virginia Division
400 N. 8th Street, Room 750
Richmond, Virginia 23219-4825

RE: Invitation to Serve as a Cooperating Agency for the Development of a Supplemental Environmental Impact Statement under the National Environmental Policy Act for the Hampton Roads Crossing, Virginia; State Project Number: 0064-965-081, P101, UCP 106724

Dear Mr. ^{Ed}Sundra:

The U.S. Environmental Protection Agency (EPA) has received the Federal Highway Administration (FHWA) - Virginia Division letter to the EPA Region III NEPA Team Leader extending an invitation to EPA to become a cooperating agency in the development of a Supplemental Environmental Impact Statement (EIS) for the above referenced project. The EIS is being prepared pursuant to the National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) NEPA regulations (40 CFR parts 1500-1508).

The CEQ has determined that a cooperating agency has the responsibility to assist the lead agency by involvement in the NEPA process at the earliest possible time. This participation includes engaging in the scoping process; in developing information and preparing environmental analyses including portions of the environmental assessment where the cooperating agency has special technical expertise; and in making available staff support at the lead agency's request to enhance the lead agency's interdisciplinary capabilities. Our role as a cooperating agency in support of the subject EIS will consist of providing comments on general NEPA compliance and Clean Water Act (CWA) Section 404 issues as well as providing technical support in the development of the EIS. The EPA would like the opportunity to contribute in the EIS process in the following manner:

- Identification of significant issues
- Provide technical assistance in the development of the analysis of alternatives and their environmental impact
- Technical assistance on Environmental Justice, Cumulative Impacts, etc.



The benefits of cooperating agency engagement in the preparation of NEPA analyses include disclosing relevant information early in the analytical process and establishing a mechanism for addressing intergovernmental issues. Other benefits include fostering intra- and intergovernmental trust and a common understanding and appreciation for various governmental roles in the NEPA process, as well as enhancing agencies' ability to adopt environmental documents.

Due to resource constraints, we may limit our attendance of project meetings and hope that video or telephone conference opportunities may be made available. Given reasonable time frames, we would be pleased to review preliminary project documentation including preliminary draft versions of the EIS. CEQ guidance recognizes that, while the lead agency has overall responsibility for the content of the EIS, status as a cooperating agency should not be construed as expressing agreement with the lead agency regarding the conclusions to be drawn from the EIS or selection of the preferred alternative. In addition, EPA has a number of independent responsibilities related to the proposed project, including our responsibilities pursuant to Section 309 of the Clean Air Act (CAA), Sections 402(d) and 404(b), (c), and (q) of the CWA.

EPA appreciates the opportunity to engage as a cooperating agency in the development of the documentation to satisfy the requirements of NEPA and the Clean Water Act for the Hampton Roads Crossing study while, consistent with CEQ guidance, we retain our independent obligations and right under Section 309 (a) of the CAA to review and comment on an environmental document. If there are any questions or concerns, please feel free to contact Ms. Barbara Okorn, staff person for the project, at your convenience at 215-814-3330 or okorn.barbara@epa.gov.

Sincerely,



Barbara Rudnick,
NEPA Team Leader
Office of Environmental Programs



VIRGINIA MARITIME ASSOCIATION

P.O. Box 3487
Norfolk, Virginia 23514
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vma@portofhamptonroads.com
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July 30, 2015

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, VA. 23219

Re: Hampton Roads Crossing Study
VDOT Project Number 0064-965-081, P101; UPC: 106724

Dear Mr. Smizik:

The Virginia Maritime Association (VMA) is the trade association representing over 400 businesses, employing over 70,000 people, directly and indirectly engaged in the flow of waterborne commerce through Virginia's ports. As the "Voice of the Port," representing these interests, we thank you for the opportunity to comment on the above-referenced project and the Supplemental Environmental Impact Statement (SEIS).

Virginia's ports are a critical link in our nation's supply chain, supporting domestic and international commerce. The Port of Virginia is the 2nd largest port on the East Coast by tonnage and the 5th largest port in the U.S., with over 5,500 commercial deep draft arrivals and sailings in 2014. An economic impact study published by the College of William and Mary revealed the Port of Virginia produced or facilitated over 374,000 jobs in Virginia (9.4% of Virginia resident employment) and in excess of \$60 Billion in spending in fiscal year 2013. The Port of Virginia has the deepest water on the East Coast and is moving forward with plans to dredge the main channels to 55 feet and the Southern Branch of the Elizabeth River to 45 feet. With expanding marine terminals, and efficient roads and rail systems connecting our ports to importers and exporters, Virginia's ports will play an even more significant role in the efficiency and security of the nation's supply chain and in terms of its economic contributions.

The "Patriot's Crossing" will add needed capacity to Hampton Roads' highway system. It will support the pillars of the region's economy; the military facilities, the Port and tourism. It will offer another route for evacuation in times of disaster and provide much needed relief to congestion experienced daily at the Hampton Roads Bridge Tunnel, Hampton Boulevard in Norfolk, and the Midtown Tunnel.

Following are our responses to the specific requests of us in your letter of June 19, 2015:

1. "Please provide and comments on the current clearance at the MMBT and HRBT, and any on potential heights of the potential crossing alternatives for this study."

The unrestricted navigation provided by 50-foot channels and the lack of air draft limitations imposed by bridges have been key elements to the success of the Port. It is vital that we maintain these advantages by disallowing any imposition of air draft restrictions and ensuring tunnels are deep and long enough. At a minimum, new tunnels must be designed to allow for the planned 55-Foot Deepening Project and the possible widening of the channels. Prudent and strategic planning would also consider a future that may require channels deeper than 55 feet.

2. "Please provide any names of land development and vessel owners operating within the study area that may be contacted as part of the study."

The Virginia Maritime Association will work with VDOT to coordinate discussions with commercial navigation interests.

3. "Please provide any other comments or feedback that you feel may be beneficial to the development of this study."

Enclosed, please find a copy of the Resolution of the Association "Build Patriot's Crossing"

We look forward to working with VDOT toward achieving the necessary and long overdue construction of additional transportation capacity across the Hampton Roads harbor.

Very truly yours,



Arthur W. Moye, Jr.
Executive Vice President



Resolution of the Association

“Build Patriot’s Crossing”

WHEREAS, the mission of the Virginia Maritime Association is to promote, protect, and encourage domestic and international trade through Virginia’s ports, and

WHEREAS, the efficient movement of goods through the Port of Virginia contributes 374,000 jobs, \$67 billion in annual spending in the Commonwealth of Virginia, and 6.7% of the Gross State Product, and

WHEREAS, the Hampton Roads gateway region, the Commonwealth of Virginia, and the nation stand to gain from ongoing port infrastructure improvements and a three-fold increase in trade by 2035, and

WHEREAS, an efficient interstate system will support continued expansion of import, export and business activities which will create additional investment and job opportunities, and

WHEREAS, modeling and studies performed for the Hampton Roads Transportation Planning Organization have determined the Patriot’s Crossing adds the most freight movement capacity, while increasing passenger vehicle capacity, and improving efficiency of the region’s interstate system,

NOW, THEREFORE, BE IT RESOLVED this 17th day of June, 2015 the Virginia Maritime Association calls for construction of the Patriot’s Crossing.

BE IT FURTHER RESOLVED that a copy of this Resolution be presented to the Office of the Governor of Virginia, Clerk of the Virginia Senate, Clerk of the Virginia House of Delegates, Commonwealth Transportation Board, Hampton Roads Transportation Accountability Commission, and Hampton Roads Transportation Planning Organization and a copy held in the records of the Virginia Maritime Association.

IN TESTIMONY WHEREOF, witness the signatures of the President and the Executive Vice President this 17th day of June, 2015 and the seal of the Association.

Raymond A. Newlon
President

Arthur W. Moye, Jr.
Executive Vice President



COMMONWEALTH of VIRGINIA

*Marine Resources Commission
2600 Washington Avenue
Third Floor
Newport News, Virginia 23607*

Molly Joseph Ward
Secretary of Natural Resources

John M.R. Bull
Commissioner

July 29, 2015

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, VA 23219

Re: Hampton Roads Crossing Study

Dear Mr. Smizik:

This will respond to your June 19, 2015, request for scoping comments on the above referenced study. Specifically, you have asked for input to assist you with the preparation of a Supplemental Environmental Impact Statement for the Hampton Roads Crossing Study (HRCS) Final Environmental Impact Statement (FEIS).

As you know, in past letters to the Virginia Department of Transportation (VDOT), our agency conveyed the extreme importance of the lower James River as a highly productive and utilized marine environment. The Hampton Roads area is fished extensively by both recreational and commercial fishermen. In addition to supporting one of the most productive shellfish areas in the Commonwealth, we are additionally concerned over any future transportation project's impacts on our blue crab and finfish fisheries.

In light of the time that has passed since the completion of the FEIS, we believe it prudent to update this study to reflect potential impacts on marine fishery resources that have experienced recent declines in standing stock abundance. We are particularly interested in necessary updates to past circulation studies that address impacts to shellfish larvae settlement, sediment transport, water quality, dissolved oxygen, total suspended solid loads, re-suspension of contaminated sediments and salinity. Data from these studies would be critically important in the analysis for potential impacts to key areas in Hampton Roads. These include our public (Baylor) and private oyster grounds and the Commission's Fishery Management Areas which include our Middle Ground Clam Sanctuary, Hampton Roads Shellfish Relay and Hampton Flats Hard Clam Harvest Areas and our Newport News Shellfish Management Area.

An Agency of the Natural Resources Secretariat

www.mrc.virginia.gov

Telephone (757) 247-2200 (757) 247-2292 V/TDD Information and Emergency Hotline 1-800-541-4646 V/TDD

Any project in the aforementioned areas should avoid and minimize, to the extent practicable, any adverse impacts to these important shellfish grounds. Please note that any encroachment into Baylor, undertaken as a Public-Private Transportation initiative, will need approval from the General Assembly similar to that of the new Mid-Town Tunnel project.

We strongly recommend that the hard clam survey, previously completed for the FEIS, be updated to reflect current standing stock abundance. An instream work time-of-year restriction from May through September, for any dredging necessary for tunnel construction and/or construction access, may be necessary to protect spawning oyster and hard clam populations.

Additional concerns include potential impacts on anadromous fishes and any threatened or endangered species. We would envision the need for any project to adhere to a February 15 through June 30 instream work time-of-year restriction to protect anadromous fishes. Given the listing of the Atlantic sturgeon as an endangered species, we anticipate additional concerns from our advisory agencies over this species and the obvious need to minimize/avoid adverse impacts to this important resource.

The Commission will agree to serve as a participating agency during the development of the SEIS. Randy Owen of my staff will serve as the point of contact. This project will be handled as an individual, rather than a general permit, given the scale of the project and estimated degree of impact to resources under the jurisdiction of the Commission.

Any jurisdictional impacts will be reviewed by VMRC during the Joint Permit Application process. As such, our scoping comments to date may be considered as preliminary. Additional concerns and comments may arise during the development of the SEIS. Thank you for the opportunity to comment.

John M. R. Bull



Commissioner

JMRB:TW:RDO:blh

HM

Cc: Molly Ward, Secretary of Natural Resources
John Wells, Director, Virginia Institute of Marine Science
Department of Environmental Quality

29 July 2015

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, VA 23219

Dear Mr. Smizik:

This letter responds to your June 19, 2015 request for scoping comments regarding the preparation of a Supplemental Environmental Impact Statement for the Hampton Roads Crossings Study.

The location of this project in the lower James River necessitates that we examine the project on its own and as it relates to the port expansion project. VIMS scientists from the Department of Physical Sciences have been contracted to provide hydrodynamic modeling to examine the water quality and physical characteristics of this greater project area and the results of this modeling effort will add greatly to the efficiency and accuracy of our review.

All of the environmental studies conducted and issues raised in regards to the previous related proposals (particularly those found in comments dated February 4, 2000 and June 8, 1998 authored by Thomas Bernard, Jr) remain of concern and need to be updated. This includes all living resources located within the influence of the project and those that use this area as a migratory corridor. In addition to the marine fisheries species of concern discussed previously, Atlantic sturgeon (*Acipenser oxyrinchus*) need to be included. Also, detailed sediment analyses, including toxicants, should be updated.

These comments are preliminary and will be increasingly more substantive after the completion of the hydrodynamic model as well as after the timing and methods of construction are determined. We are happy to assist in any way possible with the environmental assessment, and thank you for the opportunity to comment.

Sincerely,



Mark Luckenbach
Associate Dean of Research
and Advisory Services



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION III
Delaware, District of
Columbia, Maryland,
Pennsylvania, Virginia,
West Virginia

1760 Market Street
Suite 500
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215-656-7100
215-656-7260 (fax)

July 29, 2015

Mr. Scott Smizik
Environmental Division
Virginia Department of Transportation
1401 East Broad Street
Richmond, VA 23219-2000

**RE: Hampton Road Crossing Study – VDOT Project Number 0064-965-081, P101; UPC
106724**

Dear Mr. Smizik:

The Federal Transit Administration (FTA) is in receipt of your June 19, 2015 letter regarding the supplemental environmental impact statement (SEIS) for the Hampton Roads Crossing Study. Based on FTA review of the June 19, 2015 letter and enclosure, we have no comments to provide the Virginia Department of Transportation (VDOT) at this time and FTA accepts VDOT's invitation to become a participating agency pursuant to Section 6002 of SAFETEA-LU.

FTA appreciates your efforts to engage our office and we look forward to continued coordination on this project. Should you have any questions, please contact Mr. Ryan Long, Community Planner, at (215) 656-7051 or ryan.long@dot.gov.

Sincerely,

Terry Garcia Crews
Regional Administrator

Cc Daniel Koenig, Federal Transit Administration
Ed Sundra, Federal Highway Administration



(757) 933-2311

City of Newport News

Department of Engineering
2400 Washington Avenue
Newport News, Virginia 23607

Fax (757) 926-8300

July 29, 2015

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, Virginia 23219

Re: Supplemental Environmental Impact Study - Hampton Roads Crossing Study
VDOT Project Number 0064-965-081, P101 UPC 106724

Dear Mr. Smizik:

Thank you for seeking the City of Newport News participation in the preparation of the Supplemental Environmental Impact Study (SEIS) for the Hampton Roads Crossing Study (HRCS). It is the City's desire to be an active participant in the development of the SEIS as the project has the potential for significant impact to the City. Please find below responses to the questions included in your letter.

1. *What parameters, if any, would you recommend be used for establishing a study area boundary in which to analyze the indirect effects and cumulative impacts to potentially affected resources?*

The boundary for the cumulative impact analysis for Newport News should go beyond that used for the project-specific analysis in the Hampton Roads Crossing Study Final Environmental Impact Statement (FEIS) and may vary based on resource analyzed. We recommend that the study area limits extend at least one-half mile beyond both sides of the project limits, should not bisect buildings or neighborhood blocks, and should not exclude any essential neighborhood services such as schools and parks. Further, the affected community must be included in the decision making process.

2. *Planning judgment is a structured process that will be used as part of this study to analyze and forecast potential indirect effects and cumulative impacts. Does your agency possess any reports, data sources, or expert input that you recommend be used to inform the use of planning judgment in this study? Additionally, any other tools or resources that your agency might be able to provide to aid in the identification of indirect and cumulative impacts would be appreciated and considered.*

The City of Newport News has three adopted plans that should be considered as part of this study, all of which address existing conditions and planned investments in the Southeast Community: *Southeast Community Plan*, *Jefferson Avenue Corridor Study*, and the *Southeast Community Urban Waterfront Design Study*. All three plans are available electronically and can be provided for review and consideration. The analysis should also

consider the City's comprehensive plan, which is in the process of being updated. The adopted comprehensive plan—*Framework for the Future 2030*—is available for review and download at www.nnva.gov/planning. Status of the plan update and schedule for plan review and adoption can be tracked from the same website. The Department of Planning also provides electronic copies of the yearly statistical profile, apartment survey and assisted housing assessment, and development monitoring report.

The Department of Engineering has two studies for watersheds in the potentially affected area that can be provided for review: *Mapping and Modeling Study for the Small Boat Harbor Watershed* and the *Anderson Park Watershed Study*.

- As part of this scoping package we have provided a snapshot of recent economic and social data from the United States Census Bureau. We seek your concurrence that this data reflects your current jurisdictional population profile. Additionally, please identify locations in the study area where environmental justice populations may exist, or groups that interact with these environmental justice populations.*

The Department of Planning has reviewed the economic and social data provided for the City of Newport News and submits the attached revisions to reflect our current population profile.

Interstate 664 cuts through three planning areas within Newport News: Downtown/Huntington, Southeast, and Parkview/Newmarket. At a minimum, the following census tracts—partially or in totality—should be included in the study area boundary in which indirect effects and cumulative impacts to potentially affected resources are analyzed. Each census tract is comprised of a high percentage of low-income and minority populations. In 2013, the number of persons living below the poverty level exceeded 30 percent in each of these census tracts (U.S. Census, American Community Survey, 5-Year Estimates [2009–2013]).

Downtown/Huntington Planning Area
Census Tract 301
Southeast Planning Area
Census Tract 304
Census Tract 306
Parkview/Newmarket Planning Area
Census Tract 308

Environmental and human health hazards that may affect these areas include—but are not limited to—air pollution, exposure to industrial sites, noise, vibration, displacement of persons and businesses, increased traffic congestion and separation from the broader community, and further aesthetic degradation of the community.

4. *What are the current planned projects within your jurisdiction/study area? Are there any public documents/permits that estimate impacts of these projects?*

Construction of the Brooks Crossing development began in 2015. This 29.1-acre mixed-use development is located between 28th and 35th streets on the west side of Jefferson Avenue. Highway I-664 forms the site's western boundary. Upon completion, Brooks Crossing will include a police precinct, grocery store, apartments, and over 100,000 square feet of retail space.

Construction of Lower Jefferson Avenue Streetscape Phase II is scheduled to begin in late summer of 2017. The project scope includes improvements to the stormwater and sanitary sewer systems as well as improvements to pedestrian safety for the 0.7-mile segment between 12th Street and 24th Street. Phase I included similar streetscape improvements Jefferson Avenue between 24th Street and 36th Street; it was completed in 2014.

The City is in the early stages of a project for PCB remediation in the Seafood Industrial Park near the Small Boat Harbor. The Environmental Protection Agency (EPA) is overseeing the removal of contaminated soils from a City owned parcel at 99 Jefferson Avenue with offsite disposal. The Jefferson Avenue pavement section will be reduced from fifty to twenty four feet extending approximately five hundred feet north of the parcel.

The City currently has remediation, environmental sustainability, shoreline stabilization, stormwater management, streetscape and road improvements, and economic development projects ongoing through the Capital Improvement Program. The Departments of Engineering, Planning, and Public works should be contacted for an updated list of projects in the potentially affected area during the data collection phase of the HRCS.

5. *Please provide any other comments or feedback that you feel may be beneficial to the development of this study.*

We recognize that Option CBA-9 was the recommended alignment in the prior FEIS, and that the current study will reconsider the issues for the three previously studied alignments. It seems that Option CBA-1 increases capacity but appears to have limited destination points between the endpoints, effectively moving more vehicles faster on the corridor but with seemingly limited distribution options. Option CBA-2 adds connections to two major destinations (Norfolk Naval Shipyard and Portsmouth Marine Terminal); however, the routing passes through highly congested corridors, similar to CBA-1. Option CBA-9 provides new connections to the same major destinations, primarily over water. It appears to allow more direct and reliable connections thru I-664 to both the Peninsula and Route 460.

A strong multi-model transportation component of the project is considered essential by the City. We believe that Bus Rapid Transit (BRT), in combination with HOT/HOV lane designation, may be the most cost effective approach available. Hampton Roads Transit (HRT) is embarking upon a study for high capacity transit on the Peninsula that should conclude before the completion of the SEIS. The City requests that the data collected during the HRT study be included in the SEIS to determine the socioeconomic impacts of

the potential increase in mobility, especially with a dedicated connection across Hampton Roads.

Should Option CBA-9 be the selected alignment, there is a high potential for environmental and socioeconomic impacts to the City. The current landing of the Monitor Merrimack Bridge Tunnel (MMBT) fits tightly between the Hampton Roads Sanitation District (HRSD) Boat Harbor Treatment Plant and the Seafood Industrial Park Small Boat Harbor. A parallel installation on either side of the existing alignment or a widened footprint will require the relocation of one or both of these facilities. The City requests that an alternate landing location be identified and evaluated that would also provide potential connections for the multi-modal component.

Another approach to be considered is operational modifications, for instance, institution of a more aggressive over-height vehicle policy at the HRBT and MMBT. In lieu of stopping traffic during peak hours to clear oversized vehicles, stop and hold the oversized vehicles at the tunnel inspection stations until peak hours have passed to limit delays. Alternatively, make the fine for movement during peak hours proportionate to the impact on citizens.

We look forward to working with VDOT in the preparation of the SEIS. As the study moves forward, the Departments of Engineering, Planning, and Public Works can provide an updated list of reports, data sources and expert input to aid in the identification of indirect and cumulative impacts of the proposed project.

Should you have any questions or need more information, please contact Bryan Stilley of my staff at (757) 926-8699.

Sincerely,



Everett P. Skipper, PE, BCEE
Director of Engineering

EPS/KBS/wjr

pc: City Manager, J. Bourey
Assistant City Manager, C. Rohlf
Director of Planning, S. McAllister



CITY OF NORFOLK

Office of the City Manager

Marcus D. Jones
City Manager

29 July 2015

Mr. Scott Smizik
Project Manager
Environmental Division
Virginia Department of Transportation
1401 East Broad Street
Richmond, Virginia 23219-2000

Project: Hampton Roads Crossing Study
Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Suffolk,
Virginia Beach and Isle of Wight County
VDOT Project Number 0064-965-081, P101; UPC: 106724

Dear Mr. Smizik:

In response to VDOT's June 19, 2015 letter to Mayor Paul D. Fraim on the above subject, the City of Norfolk formally accepts the opportunity to be a Participating Agency for the upcoming Supplemental Environmental Impact Statement (SEIS) study process for the Hampton Roads Crossing Study. This is the most critically important transportation improvement project to the future of the entire Hampton Roads region. This current effort needs to move forward in a timely manner so that the new crossing implementation planning can move forward as rapidly as feasible.

It is important to highlight several issues related to the study from the outset. Although the formal federal Record of Decision for the original Hampton Roads Crossing Study is approximately fifteen years old, the region has not stood still since that time. Rather, multiple efforts, studies and analyses, advanced since 2001, have continued to validate the region's selection of the Patriots Crossing/Third Crossing corridor as the priority location for a new crossing of the harbor. This work includes region-wide transportation network modeling work by the Virginia Modeling and Simulation Center in 2011, an Environmental Assessment of the Patriots Crossing components of the larger crossing project (2011), and formal resolutions by the Hampton Roads Transportation Planning Organization in 2013 re-endorsing the project as the region's priority for new Harbor Crossing capacity. Significantly, the Intermodal Connector project in Norfolk between I-564 and Hampton Boulevard, which is the first phase implementation of the Third Crossing, is soon to be under construction. Having this first leg project in place, at a cost of almost \$200M,

gives the region a solid foundation towards finally advancing a new harbor crossing with both improved connectivity and real transportation network benefits.

Secondly, the recent establishment of the new Hampton Roads Transportation Fund now provides for the first time a real opportunity to advance a multi-billion dollar improvement program for a new crossing of Hampton Roads. Therefore, it is critical that the required environmental review and approval processes are completed as quickly as possible since any delays in moving forward into engineering and construction for the new crossing could have major cost implications. We are encouraged that the initial schedule for the SEIS process has been set aggressively with the draft document scheduled for completion by fall 2016. Every effort needs to be made to ensure that this schedule holds and delays are avoided.

We appreciate the opportunity to provide input to the SEIS Scope and to provide any information that we can in advance of the project initiation to help assure an effort that is both expedient and sound. In that regard, we provide the following comments and information, in response to the letter and attached questionnaire:

1. *What parameters, if any, would you recommend be used for establishing a study area boundary in which to analyze the indirect effects and cumulative impacts to potentially affected resources?*

It is important to note that different impacts are realized on different geographic scales and features. It is also important to note that some features are evaluated more quantitatively than less, and others vice versa (using more qualitative, judgment-based processes). Some may permit quantitative analysis in more immediate areas and qualitative at a broader scale. With these things in mind, there are several evaluation criteria that we believe are critical and would have varying levels of geographic scope, in some cases quite large. As we discuss these impact areas, we also have to bring up the issue of evaluation time frame. If we only think of these impacts over roughly a 20-year period, we will grossly misrepresent the far-reaching impacts of a multi-billion dollar investment that will impact the region for many decades and beyond.

So with that preface, here are several parameters/criteria that we would like considered along with some commentary on impact area and time period:

- Regional Accessibility (Region, but focused on Peninsula/Norfolk/northern Virginia Beach)
- Environmental Impacts of land development (Region)
- Economic Impacts (Region, possibly state)
- Social Impacts (Region)

- Homeland Security/Defense (Nation)
- Resiliency (Region)
- Disaster Response (Region)
- Evacuation (Region)

It is easy to argue that the above items simply have no time horizon, at least not one that we can see. We can certainly envision how this study considers how these impacts over a 50-year period could shift the view of how their impacts might be considered just in 2040.

- 2. Planning judgment is a structured process that will be used as part of this study to analyze and forecast potential indirect and cumulative impacts. Does your agency possess any reports, data sources, or expert input that you recommend to be used to inform the use of planning judgment in this study? Additionally, any other tools or resources that your agency might be able to provide to aid in the identification of indirect and cumulative impacts would be appreciated and considered.*

Planning judgment will be the most important evaluation tool for many aspects of this study, including those listed in Question 1. These factors can all be considered in the context of long-term benefits/impacts using quantitative support, expert discussion and the application of experiential knowledge. It is important that risk factors be identified and applied to this effort, understanding that there are many possible events and outcomes, some of which there is no control over and some of which can be influenced by the project.

Norfolk's general plan, *plaNorfolk2030* establishes some of the vision for Norfolk's future. It is predominantly a land-use plan and although it does not attempt to quantify a future with regard to magnitude, it establishes a vision for a compact city with transportation alternatives – a place that can serve a more compact and denser community. Norfolk has begun to undertake major long-range planning efforts, including "Vision 2100", to identify further details that will allow the City to reach for those goals. In concert with this vision Norfolk is also beginning an EIS for the Naval Station Norfolk Transit Extension.

Norfolk will be at the ready throughout this study to provide expert input that is relevant both locally and regionally. While this information is not in documents that can be transferred at this time, we will produce/facilitate key information beginning in the Purpose and Need phase of the study.

There are a number of published reports from the past, related directly to this project, and regionally prepared documents that are indirectly related. You may be aware of most of these, but we have compiled a list for your use, which is attached.

Another regional document of critical importance is the HRTPO's forecast of socioeconomic data (TAZ data) for use in the 2040 travel demand model (located at: http://www.hrtpo.org/uploads/docs/HR_2040_SocioeconomicForecast_TAZAllocation_Final_Report.pdf). This product will have an immense influence on the traffic assignments and trip markets identified for the year 2040. In the vein of this "planning judgment" question, it is critical to recognize that this data is an estimate of one possible future, and a short-term one at that considering the impact of this project. These forecasts that allocated population and employment among local jurisdictions appear to be based more on the continuation of long-standing trends toward suburbanization, rather than trends that are emerging. These emerging trends are noted in the draft VTrans 2040 Vision Plan, consistent with the apparent changes in urban living preferences for Millennials and aging Boomers.

Planners have become more cognizant in recent years that transportation infrastructure and services can, rather than "chase" traffic, be the force that changes development patterns. While the estimates of travel characteristics from the model will provide important input, it must be recognized that this information is just one source and that planning judgment, with some sensitivity analysis regarding these items, is essential. The best investment will create the best opportunity for the kind of future that is desired for the region, from the perspective of strong foundational planning principles associated with smart growth.

The document referenced in the letter, *Forecasting Indirect Land Use Effects of Transportation Projects*, predominantly tackles most of the issues described above. In some cases it references more sophisticated quantitative analytical techniques that can attempt to better capture some of these items. Again, given the long-term nature of this investment, we don't feel that additional analytical forecasts are a requirement, but that the principles discussed in this document are addressed through expert judgment. That expert judgment is critical to the selection of the most appropriate alternative, and is arguably more meaningful than the gross quantitative estimates that will be produced along the lines of typical study analysis for transportation impacts.

3. *As part of the scoping package we have provided a snapshot of recent economic and social data from the United States Census Bureau, we seek your concurrence that this data reflects your current jurisdictional population profile. Additionally, please identify locations in the study area where environmental justice populations may exist, or groups that interact with these environmental justice populations.*

The Census data generally provides an accurate snapshot of current conditions in Norfolk and the larger region.

With regard to Environmental Justice populations, there are numerous communities in Norfolk that meet one or more of Environmental Justice definitions. The Hampton Roads Transportation Planning Organization recently updated its comprehensive Environmental Justice plan. This document, including mapping of areas, is available at the link below.

<http://www.hrtpo.org/page/ej-methodology-tool/>

- 4. What are the current planned projects within your jurisdiction/study area? Are there any public documents/permits that estimate the impacts of these projects?*

Current transportation projects impacting the proposed study area include the Hampton Boulevard/Greenbrier Avenue grade separation, the I-564 Intermodal Connector project, and the Air Terminal Interchange study. The Virginia Department of Transportation is a full partner in each of these efforts and holds copies of all relevant documents and permits. A more long range planned improvement in the area is the proposed highway/rail grade separation at the intersection of Hampton and Terminal Boulevard. There is no funding or established planned schedule for this project at this time.

- 5. Please provide any other comments or feedback that you feel may be beneficial to the development of the study.*

Clearly, the overall key to a successful effort at this time will be development and agreement on the Purpose and Need for the project. The primary Purpose and Need elements from the original crossing study provide a firm foundation for beginning the current study. Specifically the original Purpose and Need included: improving accessibility, mobility and goods movement, serving origin and destination patterns between the Peninsula and the Southside, and connecting to ports and freight corridors. In addition, new issues emerging over the last decade or more such as smart growth principles, including multi-modal capabilities and resiliency should be considered for addition to the project Purpose and Need. In fact all of the items identified in the response to Question 1 should be reflected in some way through the Purpose and Need identification. Further, it should be recognized that capacity and congestion have a dynamic relationship, particularly in instances where a large latent demand exists, as it clearly does in this case. When capacity is added the outcome is likely to result in a similar “equilibrated” condition, with more cross-Hampton Roads travel. The Purpose and Need reflecting improving accessibility and mobility is a sound objective, but we need to be careful about inferring that this and reducing peak-hour congestion at the HRBT necessarily have a strong relationship. We look forward to participating fully in these early discussions to define and structure the study for a positive investment outcome.

It must be considered that accessibility and mobility are criteria that are impacted in ways that go far beyond the congestion that occurs on typical weekday peak periods, and that the

impacts of poor accessibility and mobility go far beyond measures of peak-period travel delay. Accessibility is heavily influenced by probabilities of travel times, a feature in recent years brought forward by newly available measures of travel time reliability, such as Travel Time Index (TTI) and Planning Time Index (PTI). It is also a 24/7/365 issue. Accessibility is a key influencer of travel decision-making, and consequently, land development decisions, as well as overall quality of life. Total congestion and its impacts on elements such as safety and air quality is a product of both recurring and non-recurring congestion. For evaluating the numerous associated key issues, it is critical that the impacts of all congestion be addressed.

In addition to the judgment that can be applied to this issue, the State now has access to travel time data via INRIX and/or its own sensors that can be used to describe existing travel time reliability measures. This would be valuable support information for describing the impacts of non-recurring congestion, and should be added to the study scope. As you may know, the HRTPO used this data for its 2013 System Performance report for the Hampton Roads Congestion Management Process. That report estimated that the segment of I-64 included in the CBA 1 alternative (existing alignment) is the most congested facility in the region (per TTI) and the least reliable facility in the region (per PTI). It should be noted that PTI and TTI as calculated are both positively impacted by additions to capacity, but in different ways. Greater improvements to PTI, and greater improvements to accessibility, are likely to be achieved by adding capacity *and* network redundancy.

It is also possible to “mine” data from the regional travel demand model that provides intelligence beyond a traffic assignment. Multiple efforts should be undertaken to both assure the model results are providing reasonable information through products such as select-link or trip purpose (such as trucks due to the new truck model) analysis, and these products should also be used for future-year analysis to better inform the process. The City of Norfolk would like to have an integral participatory role in the modeling activities to facilitate a sound evaluation process and eliminate unnecessary reviews.

In previous studies system VMT measurements were used as a quantitative evaluation factor. Other system measurements can be obtained that will further inform the evaluation of alternatives with regards to travel times, delay and congestion. Performance impacts on all interstate links in the region should also be reported. The CBA 9 alternative reduces volume demand on the entire portion of I-64 on the southside and segments of I-264. The model network may also provide a useful tool for examining the benefits of network redundancy in non-recurring congestion scenarios. We would like to discuss these opportunities in more detail.

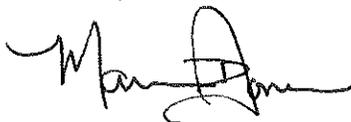
Transitioning to discussing the alternatives themselves, we are a bit concerned that while it has been said that the study must include the three alternatives from the original EIS, it has also been said that the CBA 1 alternative will be modified so that it will fit within existing right-of-way (the term “practical design” has been used to describe this approach). These

two statements seem incongruent, and it brings into question whether the alternatives really start out on equal footing. This “replacement” alternative has not really been described and as such is impossible to comment on. While we understand the concept of practical design in forwarding pragmatic project investments, it is not clear if it is believed that this concept can only be applied to that alternative alignment, or if equal effort will be applied to approaching the entire study in this manner. Certainly it seems that it should, and a reduced-capacity third crossing alternative is just as viable an approach as a reduced-capacity I-64 alternative. In fact, a good portion of the CBA 9 alternative associated with I-664 improvements has little to do with improving accessibility across the Hampton Roads channel, as opposed to much longer trips between the Peninsula and Suffolk/Chesapeake.

Lastly, while it is appropriate to begin the current SEIS analysis with the alignments carried forward to public hearing in the original study, it should be remembered that CBA 2 was developed late in the process as a hybrid option that garnered little support. In this study, so that time and resources are not wasted, inferior options should be eliminated as soon as practicable. A focused and tiered alternatives evaluation process should be adopted, and should apply to any alternatives, including an I-64 alignment.

Please advise if you have any questions or if we can be of further assistance at this time. Thank you for the opportunity to comment and we look forward to working closely with the State and all other partners to bring this effort to a successful conclusion as rapidly as possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marcus D. Jones', written in a cursive style.

Marcus D. Jones
City Manager

Mr. Scott Smizik
Hampton Roads Crossing SEIS
29 July 2015
Page 8

List of Studies and Reports (supporting question 3)

plaNorfolk2030 (Norfolk General Plan) <http://www.norfolk.gov/index.aspx?nid=1376>

Hampton Roads Crossing Study EIS
<http://www.virginiadot.org/projects/resources/studyhro-crossing-feis.PDF>

Patriots Crossing Draft Environmental Assessment
http://www.virginiadot.org/projects/resources/hampton_roads/Draft_HRCS_EA_11-30-11.pdf

Virginia Modeling and Simulation Hampton Roads Transportation Alternatives
http://www.hrtpo.org/MTG_AGNDS/HRTPO/2011/retreat/P5VMASC_Hampton_Roads_Alternative_Study.pdf

Truck Delay Impacts of Key Planned Highway projects
<http://www.hrtpo.org/uploads/docs/Truck%20Delay%20Impacts%20of%20Key%20Planned%20Hwy%20Projects%20Final%20Report.pdf>

Existing and Future Truck Delay in Hampton Roads
<http://www.hrtpo.org/uploads/docs/Existing%20and%20Future%20Truck%20Delay%20in%20HR%20Final%20Report.pdf>

Hampton Roads Roadways Serving the Military – Sea Level Rise
<http://www.hrtpo.org/uploads/docs/Roadways%20Serving%20the%20Military%20&%20Sea%20Level%20Rise-Storm%20Surge%20Report.pdf>

Hampton Roads Roadways Serving the Military – Needs Study
<http://www.hrtpo.org/uploads/docs/T12-11%20Military%20Commuter%20Survey%202012%20FINAL%20Report.pdf>

Virginia Port Authority Master Plan
<http://www.portofvirginia.com/pdfs/about/vpamasterplan052113.pdf>



July 28, 2015

Scott Smizik
VDOT Environmental Division
1401 East Board Street
Richmond, VA 23219

Re: Elizabeth River Project's Comments on Development of Hampton Roads Crossing Supplemental Environmental Impact Statement

Dear Mr. Smizik,

The Elizabeth River Project is a community-based organization which has been working to restore the health of the Elizabeth River for more than 20 years. Community partners have spent hundreds of millions working in partnership with Elizabeth River Project to improve habitat and water quality in the Elizabeth. We appreciate the opportunity to address VDOT's questions and provide comments for development of the Supplemental Environmental Impact Statement for the Hampton Roads Crossing.

This is a massive project, indicated in your Table of Environmental Impacts (Environmental Assessment 2013) to impact up to 126 acres of benthic habitat in the Elizabeth River and up to 35 acres of wetlands, including 14 now protected in perpetuity in a conservation easement at APM Terminals. According to the brochure associated with your project, it appears that at least one of the options (CBA-9, identified as preferred in your 2001 study), places a new bridge/tunnel across the mouth of the Elizabeth River. This could have a direct impact on hydrodynamics, water quality, fish passage, benthic health, and dynamics throughout the river, as well cumulative impacts when considered with the expansion of Craney Island and the deepening of the channel.

We recommend incorporating these study areas into your Supplemental Environmental Impact Statement:

1) The study should clearly identify the least environmentally damaging, technically and economically feasible alternative. A preliminary review appears to indicate that option CBA-1 would have the least impacts to the Elizabeth River and require the least amount of mitigation. This option uses an existing corridor (Hampton Roads Bridge Tunnel) for the new crossing. In looking at Options CBA-2 and CBA-9, we recommend evaluation of whether impacts might be reduced by placing much of the infrastructure on Craney Island. Current alignment has most of the bridge in the water just north of Craney Island. Evaluate re-alignment of the Craney Island connector to minimize impacts to the 14 acres of APM Terminals wetlands currently protected by a conservation easement.

3) Evaluate impacts to the full suite of benthic marine life to be found in the up to 126 acres of benthic habitat expected to be affected. The construction of this structure will have both temporary and permanent impacts to the river. A benthic evaluation should be

completed in the river bottom where the bridge/tunnel will be located. Old Dominion University's benthic laboratory conducts evaluations of benthic integrity (BIBI) throughout the Chesapeake Bay. Such an evaluation will be important to understand resources potentially affected by this project.

4) Indicate anticipated stormwater loads for nutrients, organic and inorganic contamination and update anticipated air emissions and the basis for your calculations.

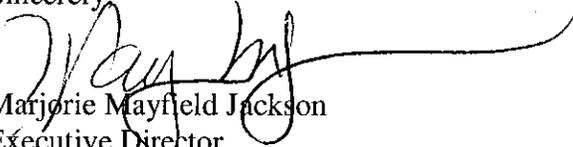
5) It is mentioned that Planning Judgment is going to be used to analyze indirect and cumulative impacts of this project. We recommend that VDOT use a more scientific and more rigorous approach such as the Habitat Equivalency Analysis (HEA) to understand the mitigation needed for each of the options. The HEA is a methodology used to determine compensation for resource injuries. Recently used in studying impacts of other large development projects in Hampton Roads, the HEA method is based on the concept that the public can be compensated for past losses of habitat resources through habitat replacement projects providing additional resources of the same type. In this case losses could be due to sediment, wetland, and water quality impacts.

6) There are two additional federal endangered species found in the area of these proposed corridors that were not mentioned in your evaluation so far. We recommend you evaluate possible impacts to Atlantic and Shortnosed Sturgeons.

7) Evaluate impacts to water quality due to changes in hydrodynamics and flushing. A hydrodynamic model should evaluate potential changes throughout the Elizabeth River system since even a slight change at the mouth of the river could have dramatic impacts in the headwater areas of the river.

Elizabeth River Project appreciated your invitation to participate in the Agency Scoping Meeting on July 21. We welcome further involvement in helping pursue appropriate environmental impact studies and identify appropriate mitigation. Should you have any comments please feel free to contact me or Joe Rieger, Deputy Director – Restoration, at 757-399-7487.

Sincerely,



Marjorie Mayfield Jackson
Executive Director



COMMONWEALTH of VIRGINIA

Jennifer L. Mitchell
Director

DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION
600 EAST MAIN STREET, SUITE 2102
RICHMOND, VA 23219-2416

(804) 786-4440
FAX (804) 225-3752
Virginia Relay Center
800-828-1120 (TDD)

July 27, 2015

Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, VA 23219

Dear Mr. Smizik:

Thank you for providing the Department of Rail and Public Transportation (DRPT) with the opportunity to participate in the preparation of a Supplemental Environmental Impact Statement (SEIS) for the Hampton Roads Crossing Study. In response to your letter dated June 19, 2015, DRPT has an ongoing interest in the future of rail and transit in the Hampton Roads region and the potential for additional transit connections between the peninsula and south side of Hampton Roads.

There are several ongoing planning efforts in the region that may inform the SEIS process. For example, Hampton Roads Transit (HRT) is currently studying the potential for light rail transit service between the existing Tide system and the Norfolk Naval Station, which is part of the CBA-2 and CBA-9 corridors in the FEIS. Additionally, HRT is currently developing a plan called *Connect Hampton Roads* that may provide insight on transit potential across Hampton Roads. HRT currently operates limited express bus service between the two areas of the region because the current tunnel crossings are often congested and do not provide reliable travel times in support of regular fixed-route bus service. We encourage VDOT to include Hampton Roads Transit as a stakeholder in this planning process.

Scott Smizik
July 27, 2015
Page Two

DRPT contacts for the Hampton Roads Crossing SEIS will be Amy Inman, who can be reached at amy.inman@drpt.virginia.gov or (804) 225-3207), and Nick Britton, who can be reached at nick.britton@drpt.virginia.gov or (804) 786-7425).

DRPT appreciates the opportunity to be a participating party in this process and we look forward to working with VDOT.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Mitchell". The signature is written in a cursive style.

Jennifer Mitchell

Copy: Amy Inman, DRPT
Nick Britton, DRPT

Molly Joseph Ward
Secretary of Natural Resources

Clyde E. Cristman
Director



Joe Elton
Deputy Director of Operations

Rochelle Altholz
*Deputy Director of
Administration and Finance*

David Dowling
*Deputy Director of
Soil and Water and Dam Safety*

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

MEMORANDUM

DATE: July 27, 2015
TO: Scott Smizik, VDOT
FROM: Roberta Rhur, Environmental Impact Review Coordinator
SUBJECT: VDOT HAMPTON ROADS CROSSING STUDY

Division of Planning and Recreation Resources

The Department of Conservation and Recreation (DCR), Division of Planning and Recreational Resources (PRR), develops the *Virginia Outdoors Plan* and coordinates a broad range of recreational and environmental programs throughout Virginia. These include the Virginia Scenic Rivers program; Trails, Greenways, and Blueways; Virginia State Park Master Planning and State Park Design and Construction.

Please note that all proposed crossing scenarios are in a section of the James River that has been found worthy scenic river designation. For questions regarding scenic designations please contact Lynn Crump at lynn.crump@dcr.virginia.gov.

Division of Natural Heritage

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

Segments CBA-1 and CBA-2

According to the information currently in our files, this site is located within the Hampton Roads Bridge Tunnel Conservation Site. Conservation sites are tools for representing key areas of the landscape that warrant further review for possible conservation action because of the natural heritage resources and habitat they support. Conservation sites are polygons built around one or more rare plant, animal, or natural community designed to include the element and, where possible, its associated habitat, and buffer or other adjacent land thought necessary for the element's conservation. Conservation sites are given a biodiversity significance ranking based on the rarity, quality, and number of element occurrences they contain; on a scale of 1-5, 1 being most significant. Hampton Roads Bridge Tunnel Conservation Site has been given a biodiversity significance ranking of B5, which represents a site of general significance. The natural heritage resources of concern at this site are:

<i>Rynchops niger</i>	Black skimmer	G5/S2B,S1N/NL/NL
<i>Gelochelidon nilotica</i>	Gull-billed tern	G5/S2B/NL/LT
<i>Thalasseus maximus</i>	Royal tern	G5/S2B/NL/NL
<i>Thalasseus sandvicensis</i>	Sandwich tern	G5/S1B/NL/NL

In addition, the Least tern (*Sternula [=Sterna] antillarum*, G4/S2B/NL/NL) has been documented within the project site on Willoughby Spit and the Atlantic sturgeon (*Acipenser oxyrinchus*, G3/S2/LE/LT) has been documented within the project area.

Furthermore, there is potential for Loggerhead sea turtle (*Caretta caretta*, G3/S1B,S1N/LE/LT) and Kemp's Ridley sea turtle (*Lepidochelys kempii*, G1/S1N/LE/LE) to occur in the project area. To avoid and minimize impacts to sea turtles, DCR recommends adherence to time-of-year restrictions from 01 April - 30 November of any year. Due to the legal status of the Atlantic sturgeon, DCR also recommends coordination with VDGIF and NOAA Fisheries to ensure compliance with protected species legislation. Finally, due to the legal status of Loggerhead sea turtle and Kemp's Ridley sea turtle, DCR recommends coordination with USFWS and VDGIF to ensure compliance with protected species legislation.

Segments CBA-2 and CBA-9

According to the information currently in our files, these sites are located within the Craney Island Conservation Site. Craney Island Conservation Site has been given a biodiversity significance ranking of B4, which represents a site of moderate significance. The natural heritage resources of concern at this site are:

<i>Sterna antillarum</i>	Least Tern	G4/S2B/NL/NL
<i>Himantopus mexicanus</i>	Black-necked Stilt	G5/S1B/NL/NL
<i>Circus cyaneus</i>	Northern harrier	G5/S2S2B,S3N/NL/NL

In addition, the Atlantic sturgeon has been documented within the project areas.

DCR recommends avoidance of the nesting sites for the Least Tern (April 15-August 1) and Black-necked Stilt (April 15-July 15). Due to the legal status of the Atlantic sturgeon, DCR also recommends coordination with NOAA Fisheries and Virginia's regulatory authority for the management and protection of this species, the VDGIF, to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 - 570).

Segment CBA-9

According to the information currently in our files, Elliott's Aster (*Symphyotrichum elliottii*, G4/S1/NL/NL) had been historically documented in the project site. Elliott's aster is a perennial, colonial aster that grows up to 1.5 meters tall. Numerous stiff, thick leaves are found on the erect stems which terminate in a panicle or corymb of flower heads with pink or lilac ray flowers in mid-fall. In Virginia, this rare plant is known from tidal marshes, tidal swamps, and interdune swales from the cities of Chesapeake and Virginia Beach. (Weakley, et al., 2012). As of 2014, the Virginia Natural Heritage Program has documented 4 occurrences of this state rare plant, 1 extant and 3 historic. The plant is threatened by sea-level rise and competition with the common reed (*Phragmites australis*), an invasive grass that can choke out native species.

Due to the potential for this site to support populations of Elliott's Aster, DCR recommends an inventory for the resource in the study area in Goose Creek and Bailey Creek. With the survey results we can more accurately evaluate potential impacts to natural heritage resources and offer specific protection recommendations for minimizing impacts to the documented resources.

Furthermore, the Canebrake rattlesnake and Atlantic sturgeon have been documented within 2 miles of the project area and there is potential for Loggerhead sea turtle and Kemp's Ridley sea turtle to occur in the

project area. To avoid and minimize impacts to sea turtles, DCR recommends adherence to time-of-year restrictions from 01 April – 30 November of any year. Due to the legal status of the Canebrake rattlesnake, DCR recommends coordination with the Virginia's regulatory authority for the management and protection of this species, the VDGIF, to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 – 570). Due to the legal status of the Atlantic sturgeon, DCR also recommends coordination with VDGIF and NOAA Fisheries to ensure compliance with protected species legislation. Finally, due to the legal status of Loggerhead sea turtle and Kemp's Ridley sea turtle, DCR recommends coordination with USFWS and VDGIF to ensure compliance with protected species legislation.

General Comments

According to DCR staff biologists there is the potential for the Northern Long-eared bat (*Myotis septentrionalis*, G1G3/S3/LT/NL) to occur within the project area. The Northern Long-eared bat is a small insect-eating bat characterized by its long-rounded ears that when folded forward extend beyond the tip of the nose. Hibernation occurs in caves, mines and tunnels from late fall through early spring and bats occupy summer roosts comprised of older trees including single and multiple tree-fall gaps, standing snags and woody debris. Threats include white nose syndrome and loss of hibernacula, maternity roosts and foraging habitat (NatureServe, 2014). Due to the decline in population numbers, the Northern Long-eared bat has been federally listed as "threatened" by the United States Fish and Wildlife Service (USFWS).

To minimize adverse impacts to the aquatic ecosystem as a result of the proposed activities, DCR recommends the implementation of and strict adherence to applicable state and local erosion and sediment control/storm water management laws and regulations. Due to the proposed removal of trees and the legal status of the Northern Long-eared bat, DCR also recommends coordination with the USFWS to ensure compliance with protected species legislation.

There are no State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the DCR, DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

New and updated information is continually added to Biotics. Please re-submit project information and map for an update on this natural heritage information if the scope of the project changes and/or six months has passed before it is utilized.

The Virginia Department of Game and Inland Fisheries (VDGIF) maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed from <http://vafwis.org/fwis/> or contact Ernie Aschenbach at 804-367-2733 or Ernie.Aschenbach@dgif.virginia.gov.

The remaining DCR divisions have no comments regarding the scope of this project. Thank you for the opportunity to comment.

Cc: Amy Ewing, VDGIF
Troy Andersen, USFWS
Christine Vaccaro, NOAA

Literature Cited

NatureServe, 2014. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe. Arlington, Virginia. Available <http://explorer.natureserve.org> (Accessed: December 22, 2014).

Weakley, A. S., J. C. Ludwig, and J. F. Townsend. 2012. Flora of Virginia. Bland Crowder, ed. Foundation of the Flora of Virginia Project Inc., Richmond. Fort Worth: Botanical Research Institute of Texas Press. p. 394.



United States Department of the Interior

NATIONAL PARK SERVICE
Northeast Region
200 Chestnut Street
Philadelphia, PA 19106

IN REPLY REFER TO:

ER-15/0355

July 22, 2015

Edward Sundra
Director of Program Development
Federal Highway Administration
400 North 8th Street, Suite 750
Richmond, VA 23219
ed.sundra@dot.gov

Subject: Notice of Intent to Prepare a Supplemental Environmental Impact Statement (EIS) for the Hampton Roads Crossing Study Final EIS, Cities of Newport News, Hampton, Norfolk, Portsmouth, Suffolk, and Chesapeake, VA (15/0355)

Mr. Sundra:

This is in response to a request for the National Park Service's (NPS) review and comment on the Notice of Intent to prepare a Supplemental Environmental Impact Statement (EIS) for the Hampton Roads Crossing Study Final EIS, Cities of Newport News, Hampton, Norfolk, Portsmouth, Suffolk, and Chesapeake, VA.

The National Park Service offers the following comments:

The National Park Service's Chesapeake Bay office works with multiple partners to manage and develop the Chesapeake Bay Gateways and Water trails Network, the Captain John Smith Chesapeake National Historic Trail, the Star-Spangled Banner National Historic Trail, and the collaborative strategies to support President Obama's Executive Order 13508 for the protection and restoration of the Chesapeake Bay.

They offer these comments, with particular emphasis on the Captain John Smith Chesapeake National Historic Trail.

This project study area crosses the route of the Captain John Smith Chesapeake National Historic Trail. The Congressional designation of National Trail status was likely not considered in the March 2001 FEIS. The SEIS should consider if there are Section 4(f) and/or Section 106 impacts that are now required to be considered in the updated review. Specifically, potential impacts to the resources and visitor experience of the Captain John Smith Chesapeake National

Historic Trail should be considered in the evaluation of all project alternatives and factored into the decision that recommends the selected alternative.

Due to the known documentation of both American Indian archaeology and 17th Century activity in this area, there may be cultural and/or historic resources relevant to the John Smith Trail that could be impacted by the alternatives of this project. There is also concern of how the cumulative impacts of how the proposed project could impact visitor experience and resources of the trail.

In addition to these considerations, NPS Chesapeake Bay Office requests that the SEIS consider the MOU signed by Governor McAuliffe on 7/9/2015 that directs three Virginia state agencies (Virginia Department of Transportation, Virginia Department of Game and Inland Fisheries and Virginia Department of Conservation and Recreation) to identify new potential public-access projects, particularly at bridge crossings and roads.

This response has been compiled on behalf of Matt Jagunic, Outdoor Recreation Planner at the Chesapeake Bay Office.

We appreciate the opportunity to provide these comments.

Sincerely,

/s/

Cheryl Sams O'Neill
Interagency Review Coordinator
Resource Planning and Compliance Program

cc:

OEPC (carol_braegelmann@ios.doi.gov)

NPS-CBPO Matt Jagunic (matt_jagunic@nps.gov)

this day of mine -- Dr. Ezeekiel Emmanuel was correct – everyone at age 75 should have a “sit-down” to review glories of the past and consider what coming years hold. If only I could recall 11 years ago today. Cheers! olde brew

From: [Hodges, Mary Ellen N. \(VDOT\)](#)
Sent: Monday, July 20, 2015 10:25 AM
To: joanbrew@verizon.net
Subject: Hampton Roads Crossing Study - Section 106 Consultation

Mr. J. Brewer Moore-

Because of your interest in War of 1812 resources and the Battle of Craney Island, the Virginia Department of Transportation is providing you the opportunity to participate in Section 106 consultation regarding the Hampton Roads Crossing Study and potential effects on historic properties. Please see the attached letter. If you would like a hard copy of this letter, please provide me a street or post office box address for mailing.

Thank you.

Mary Ellen Hodges

Mary Ellen N. Hodges
Preservation Program District Coordinator

Virginia Department of Transportation
Environmental Division
1401 E. Broad Street, Richmond, VA 23219
Tele: 804-786-5368

From: [Brewer](#)
To: [Hodges, Mary Ellen N. \(VDOT\)](#)
Subject: Re: Hampton Roads Crossing Study - Section 106 Consultation
Date: Wednesday, July 22, 2015 11:16:39 AM

jBrewer Moore, 308 Bobby Jones Drive, Portsmouth, VA., 23701, 757-488-5239 -

My family took me to the newly upgraded east coast pizza (ne corner, Portsmouth Blvd and Elmhurst Lane) which ranks with upscale Italian restaurants in cities such as Baltimore. A good time was had by all. When VDOT brings you to town, perhaps this is a place to grab a bite to eat! Portsmouth reputation is overshadowed by Norfolk and Virginia Beach – but the truth is there to find and enjoy! Thank you. jBrewer

From: [Hodges, Mary Ellen N. \(VDOT\)](#)
Sent: Wednesday, July 22, 2015 10:34 AM
To: [Brewer](#)
Subject: RE: Hampton Roads Crossing Study - Section 106 Consultation

Mr. Moore-

I hope you are continuing to have a wonderful birthday week!

Please note that my letter was conveyed as an attachment to the email you received. If you are not able to open the attachment, please let me know. We don't seem to have a street address on file for you, so I cannot send you the letter by US mail ("snail mail") unless you provide me one.

Thanks.

Mary Ellen

Mary Ellen N. Hodges
Preservation Program District Coordinator

Virginia Department of Transportation
Environmental Division
1401 E. Broad Street, Richmond, VA 23219
Tele: 804-786-5368

From: Brewer [mailto:joanbrew@verizon.net]
Sent: Monday, July 20, 2015 1:38 PM
To: Hodges, Mary Ellen N. (VDOT)
Subject: Re: Hampton Roads Crossing Study - Section 106 Consultation

Mary Ellen – what a pleasant surprise – with Virginia closed out on the War of 1812 bicentennial. However, I do recall that the alignment of the “THIRD CROSSING CONNECTOR” was in the area of the Craney Island battlefield. Look forward to your letter after today’s celebration of my 86th birthday. But hearing from you is an added positive to



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1096

JULY 20, 2015

Eastern Virginia Regulatory Section
Hampton Roads Crossing Study – Cooperating Agency
VDOT Project: 0064-965-081, P101; UPC 106724
Corps of Engineers Project NAO-1994-1166

Federal Highway Administration
Virginia Division
Edward Sundra, Director of Program Development
400 N. 8th Street, Room 750
Richmond, VA 23219-4825

Dear Mr. Sundra:

This letter is in response to the Federal Highway Administration (FHWA) letter dated June 18, 2015 requesting that the Army Corps of Engineers participate as a cooperating agency for the preparation of the Supplemental Environmental Impact Statement (EIS) for the Hampton Roads Crossing Study (HRCS) in accordance with the National Environmental Policy Act (NEPA). The purpose of this Supplemental EIS is to reconsider the transportation needs within the Hampton Roads area that were identified with the original study and to evaluate the impacts of proposed improvements for meeting those needs. The study area is roughly bound by I-664 on the west, I-64 on the north and east, and I-264 on the south. The Norfolk District will participate as a cooperating agency in the development of further documents in accordance with NEPA. We encourage the use of a collaborative process for the study of this project, documenting concurrence of the pertinent Federal agencies at important steps, to provide local governments and the public with a more dependable framework for planning decisions.

We are attaching a letter dated June 5, 2012. Please note that our previous comments still apply to this project. Because most of the project is proposed within navigable waters, including a tunnel underneath the Corps' Federal Project Channel, coordination of navigation issues will be an important part of this study. Any decisions regarding Craney Island and the Federal Channel, including any location along or close to Craney Island, should be coordinated with the Norfolk District Corps of Engineers Operations Branch.

Historic Resources. The project may affect historic and cultural resources. As per 36 CFR 800.2(a)(2), the FHWA is hereby designated as the lead Federal agency to fulfill the collective federal responsibilities under Section 106 of the National Historic Preservation Act for the undertaking. We authorize your agency to conduct Section 106 coordination on our behalf. Any Memorandum of Agreement prepared by your agency under 36 CFR 800.6 should include the following clause in the introductory text:

"Whereas, pursuant to Section 10 and/or Section 404 of the Clean Water Act, a Department of the Army permit will likely be required from the Corps of Engineers for this project, and the Corps has designated FHWA as the lead federal agency to fulfill federal responsibilities under Section 106;"

Threatened and Endangered Species. Pursuant to 50 CFR 402.07, the Corps authorizes your agency to conduct Section 7 coordination with the U.S. Fish and Wildlife Service (USFWS) on our behalf as well, concerning potential effects to Federally-listed threatened and endangered species. FHWA will be responsible for completing all coordination pursuant to ESA, regardless of whether it occurs during the NEPA process or during the permitting process. In addition, we recommend that all documentation and coordination, including the IPAC determination, be included in the NEPA document.

Essential Fish Habitat. Pursuant to 50 CFR 600.920(b), the Corps authorizes your agency to conduct MSA consultation with the National Oceanic and Atmospheric Administration (NOAA) Fisheries on our behalf as well, concerning potential effects to Essential Fish Habitat. FHWA is responsible for completing all coordination pursuant to MSA, regardless of whether it occurs during the NEPA process or during the permit process. In addition, we recommend that all documentation and coordination be included in the NEPA document.

Thank you for the opportunity to provide comments and recommendations. You may contact George Janek at george.a.janek@usace.army.mil or 757-201-7135 if you have any questions.

Sincerely,



Kimberly A. Prisco-Baggett
Deputy Chief, Norfolk District
Regulatory Section

attachment

Copies Furnished:

Virginia Department of Transportation, Richmond
Environmental Protection Agency, Philadelphia
U. S. Fish and Wildlife Service, Gloucester
Virginia Department of Historic Resources, Richmond
National Oceanic and Atmospheric Administration, Gloucester



RECEIVED

JUL 10 2015

ENVIRONMENTAL DIVISION

COMMONWEALTH of VIRGINIA

Department of Agriculture and Consumer Services

PO Box 1163, Richmond, Virginia 23218

Phone: 804/786-3501 • fax: 804/371-2945 • Hearing Impaired: 800/828-1120

www.vdacs.virginia.gov

July 6, 2015

Sandra J. Adams
Commissioner

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, Virginia 23219

Subject: Hampton Roads Crossing Study
Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Suffolk,
and Virginia Beach and Isle of Wight County

Dear Mr. Smizik:

This is in response to your letter to this agency dated June 19, 2015, inviting comments concerning potential issues or concerns related to the Hampton Roads Crossing Study that includes the Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, and Virginia Beach and Isle of Wight County. We appreciate the opportunity to provide feedback on this project.

The Virginia Department of Agriculture and Consumer Services (VDACS) is responsible for the preservation of farmland and the protection of endangered and threatened plant and insect species. While VDACS does not have any input to contribute to the first five questions on the Hampton Roads Crossing Study NEPA Evaluation Questionnaire, in response to the sixth question, we would recommend that the several issues be considered while developing this study. Concerning farmland preservation, § 3.2-204 of the Code of Virginia requires that in preparing reports on major state projects, each state agency shall demonstrate that it considered the impact of the projects on farm and forest lands as required in § 3.2-205 and that it adequately considered alternatives and mitigating measures. Therefore, VDACS encourages the Virginia Department of Transportation (VDOT) and others involved with this project to minimize the loss of farm and forest land to the highest degree possible. Also, VDACS asks that you be mindful of any actions that could result in altering the water flow within surrounding agricultural lands and, to the greatest extent possible, minimize any adverse drainage or erosion issues that may result. In addition, VDACS suggests that VDOT determine whether the Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, or Virginia Beach or Isle of Wight County have any established agricultural and forestal districts that may be impacted by this project. Should such districts exist, additional project review is required per § 15.2-4313 of the Code of Virginia.

Additionally, VDACS works closely with the Department of Conservation and Recreation (DCR) in determining the potential impact of proposed projects on state endangered and threatened plant and insect species. Through a Memorandum of Agreement between our agencies, DCR reviews these projects and submits comments on our behalf. Consequently, any inquiries relating to state protected plant and insect species should be directed to DCR for response. If after researching its database of natural resources, critical habitats, and species locations DCR finds that a project poses a potential adverse impact on an endangered or threatened plant or insect species, the appropriate information will be referred to VDACS for further review and possible mitigation. Please note that requests of this nature should be sent to Rene Hypes at the DCR Division of Natural Heritage Project Review Program. Ms. Hypes can be reached at (804) 371-2708 or rene.hypes@dcr.virginia.gov.

Sincerely,

A handwritten signature in blue ink that reads "Sandra J. Adams" followed by a horizontal line.

Sandra J. Adams
Commissioner

cc: Larry Nichols, Acting Director, Division of Consumer Protection
Kevin Schmidt, Director, Office of Policy, Planning and Research



Terence R. McAulliffe
Governor

Maurice A. Jones
Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

William C. Shelton
Director

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

July 6, 2015

Mr. Scott Smizik
Project Manager- Environmental Division
Virginia Department of Transportation

Re: Hampton Roads Crossing Study
VDOT Project Number: 0064-965-081, P101; UPC: 106724

Mr. Smizik,

The Virginia Department of Housing and Community Development appreciates the opportunity to provide a response to the NEPA Evaluation Questionnaire as part of the preparation of a supplemental environmental impact statement for the Hampton Roads Crossing Study. Below you will find a response to the questions provided.

1. Please provide any data related to low income, minority populations that would be used in the socioeconomic and environmental justice impact analysis implemented by the Executive Order (EO) 12898 "Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low Income Populations", and the Council of Environmental Quality (CEQ) guidance, Environmental Justice guidance under NEPA (1997).

The Department of Housing and Community Development recommends that you seek feedback from and coordinate with the Hampton Roads Planning District Commission to understand local impacts on vulnerable and low-income populations. The PDC will have better information than DHCD.

2. Please provide any other comments or feedback that you feel may be beneficial to the development of this study.

The Department of Housing and Community Development has been invited to apply for Phase 2 of the National Disaster Resilience Competition (NDRC) which focuses on the Hampton Roads area. The NDRC plan must target specific neighborhoods; at this time from the map presented we are not able to determine if this project is in one of those neighborhoods previously identified in phase 1 of the NDRC. VDOT is a state agency partner for the NDRC; additional conversations will be needed to determine if this project will benefit the NDRC phase 2 application.

Sincerely,

Bill Shelton





COMMONWEALTH of VIRGINIA

Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Molly Joseph Ward
Secretary of Natural Resources

Julie V. Langan
Director

Tel: (804) 367-2323
Fax: (804) 367-2391
www.dhr.virginia.gov

1 July 2015

Mr. Scott Smizik
Virginia Department of Transportation
Environmental Division
1401 East Broad Street
Richmond, Virginia 23219

Re: Hampton Roads Crossing Study
Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach, and
Isle of Wight County
DHR File # 2015-0783

Dear Mr. Smizik:

The Department of Historic Resources (DHR) has received your letter of 19 June 2015 regarding the initiation of consultation on the preparation of a Supplemental Environmental Impact Statement (SEIS) for the Hampton Roads Crossing Study (HRCS) Final Environmental Impact Statement (FEIS). The DHR believes the proposed undertaking has the potential to impact historic properties listed in or eligible for the National Register of Historic Places. Therefore, we request that the Virginia Department of Transportation (VDOT) continue to involve DHR in the project discussions as the plans develop pursuant to the National Environmental Policy Act and Section 106 of the National Historic Preservation Act. A representative of DHR will attend the 21 July 2015 agency meeting to be held at the VDOT Hampton Roads District Office auditorium in Suffolk.

If you have any questions regarding our comments, please contact me at (804) 482-6090.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marc Holma".

Marc Holma, Architectural Historian
Division of Review and Compliance

Administrative Services
10 Courthouse Ave.
Petersburg, VA 23803
Tel: (804) 862-6408
Fax: (804) 862-6196

Eastern Region Office
2801 Kensington Avenue
Richmond, VA 23221
Tel: (804) 367-2323
Fax: (804) 367-2391

Western Region Office
962 Kime Lane
Salem, VA 24153
Tel: (540) 387-5443
Fax: (540) 387-5446

Northern Region Office
5357 Main Street
PO Box 519
Stephens City, VA 22655
Tel: (540) 868-7029
Fax: (540) 868-7033



DIVISIONS
ENERGY
GAS AND OIL
GEOLOGY AND MINERAL RESOURCES
MINED LAND RECLAMATION
MINERAL MINING
MINES
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COMMONWEALTH OF VIRGINIA

Department of Mines, Minerals and Energy

Washington Building, 8th Floor
1100 Bank Street
Richmond, Virginia 23219-3638
(804) 692-3200 FAX (804) 692-3237
www.dmme.virginia.gov

June 25, 2015

Scott Smizik
Virginia Department of Transportation
1401 East Broad Street
Richmond, Virginia 23219

Project: Hampton Roads Crossing Study

Dear Mr. Smizik:

The Department of Mines, Minerals and Energy (DMME) is making difficult decisions in response to state budget reductions. One of the most difficult decisions to date was to reduce staff in our Division of Geology and Mineral Resources (DGMR) in January 2009. Since that time, DMME has carefully reviewed services that we have provided in the past in order to determine which services can be provided in the future with existing staff. One service that we considered was the review of environmental impact reports for state and local projects. We have determined that existing staff levels within DMME do not allow for the review of environmental impact reports on a routine basis.

Our staff did review the map and determined there are no active sites or mineral resources that would be affected by this project; therefore, DMME does not plan to participate in the planning process. However, we understand that there are times when specific information related to geologic conditions, mineral extraction, and energy policy is an important consideration for a particular project. In these instances, please feel free to contact David Spears at (434) 951-6350 or by e-mail at david.spears@dmme.virginia.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "C.T. Spangler III".

Conrad T. Spangler, III
Director

Zimbra

rwoody@rkk.com

FW: ESSLog 32896; VDOT preliminary scoping request for NEPA re-evaluation for Hampton Roads Crossing Study SEIS

From : Scott Smizik (VDOT) <Scott.Smizik@vdot.virginia.gov> Wed, Jun 24, 2015 10:30 AM
Subject : FW: ESSLog 32896; VDOT preliminary scoping request for NEPA re-evaluation for Hampton Roads Crossing Study SEIS 1 attachment
To : Ricky Woody <rwoody@rkk.com>

From: ProjectReview (DGIF)
Sent: Wednesday, June 24, 2015 9:54 AM
To: Smizik, Scott (VDOT)
Cc: ProjectReview (DGIF); Fernald, Ray (DGIF); Boettcher, Ruth (DGIF)
Subject: ESSLog 32896; VDOT preliminary scoping request for NEPA re-evaluation for Hampton Roads Crossing Study SEIS

We previously reviewed this project and reiterate our existing recommendations:

DGIF appreciates your interest in submitting your project for review by VDGIF to ensure the protection of sensitive wildlife resources during project development. Please note that DGIF no longer has Fish and Wildlife Information Service (FWIS) staff to perform preliminary project scoping reviews and provide preliminary scoping comments. DGIF provided VDOT with access to our VAFWIS and WERMS data for the VDOT-CEDARs so that VDOT can perform their own preliminary scoping reviews.

Therefore, thank you for not mailing paper-copies of project scoping materials to DGIF and expecting our customary preliminary scoping comments. No response from VDGIF does not constitute "no comment" nor does it imply support of the project or associated activities. It simply means VDGIF has not been able to respond. Please make a note of this for future reference.

If instream impacts are proposed, we anticipate a Joint Permit Application (JPA) for our review. If this is the case, we will review JPA and provide comments, as appropriate. We recommend continued coordination with DGIF as more information becomes available.

Thanks.

Ernie Aschenbach
Environmental Services Biologist
Virginia Dept. of Game and Inland Fisheries
Phone: (804) 367-2733
Email: Ernie.Aschenbach@dgif.virginia.gov

We moved! Our new address is:

Physical

7870 Villa Park Dr, Suite 400
Henrico, VA 23228

Mailing

P O Box 90778
Henrico, VA 23228

From: Smizik, Scott (VDOT)
Sent: Friday, June 19, 2015 12:03 PM
To: Fernald, Ray (DGIF)
Cc: Aschenbach, Ernie (DGIF)
Subject: Hampton Roads Crossing Study SEIS

Good afternoon –

Please find the attached scoping letter for the Hampton Roads Crossing Study Supplemental Environmental Impact Statement. We look forward to working with your office on this study. If you have any questions, please do not hesitate to contact me.

Scott Smizik

Location Studies Project Manager
Virginia Department of Transportation
Environmental Division
1401 East Broad Street
Richmond, Virginia 23219
Desk: (804) 371-4082
Cell: (804) 306-0920
Fax: (804) 786-7401

Scott.Smizik@VDOT.Virginia.gov

 **fernald_state.pdf**
4 MB

Zimbra

rwoody@rkk.com

FW: Hampton Roads Crossing Study SEIS

From : Scott Smizik (VDOT) <Scott.Smizik@vdot.virginia.gov> Wed, Jun 24, 2015 03:26 PM
Subject : FW: Hampton Roads Crossing Study SEIS
To : Ricky Woody <rwoody@rkk.com>, Nicholas Nies <nnies@wrallp.com>

From: Harrington, Rusty N. (DOAV)
Sent: Wednesday, June 24, 2015 3:26 PM
To: Smizik, Scott (VDOT)
Subject: RE: Hampton Roads Crossing Study SEIS

Scott,

Cooperating- we will not.

Participating- it is our understanding that the document will be circulated by DEQ for agency review. We are on their list for review and comment for potential transportation impacts, SCC permitting applications for utilities and solid waste permits for landfills. We'll either be asked (or not) and will issue comments then.

From: Smizik, Scott (VDOT)
Sent: Wednesday, June 24, 2015 3:18 PM
To: Harrington, Rusty N. (DOAV)
Subject: RE: Hampton Roads Crossing Study SEIS

Rusty –

Good to speak to you this morning as well. To clarify, you are declining an invitation to be a participating agency in the study (cooperating and participating have different requirements for FHWA).

We have updated our contact list for the study to identify you as the POC for any future communication.

Thanks again for your call this morning.

Scott Smizik
Location Studies Project Manager
Virginia Department of Transportation
Environmental Division

1401 East Broad Street
Richmond, Virginia 23219
Desk: (804) 371-4082
Cell: (804) 306-0920
Fax: (804) 786-7401
Scott.Smizik@VDOT.Virginia.gov

From: Harrington, Rusty N. (DOAV)
Sent: Wednesday, June 24, 2015 3:11 PM
To: Smizik, Scott (VDOT)
Cc: Burdette, Randall P. (DOAV); Burnette, Cliff (DOAV)
Subject: Hampton Roads Crossing Study SEIS

Scott,

It was good speaking to you earlier today. Just to recap, we appreciate the invitation to join as a cooperating agency, but after consideration of the scope of the Supplemental Environmental Impact Statement for the Hampton Roads Crossing Study, we believe that the potential impact on the airport system would not require any direct involvement from our agency. In addition, the fact that our interest in the study would not result or require a permit to be issued, we respectfully decline to offer comment at this time or accept the offer to be listed as a cooperating agency. We will be happy to issue comment at the appropriate time during the agency review and circulation by DEQ during the agency review period.

For future reference, the Planning and Environmental Section of the Department of Aviation would be your point of contact in such matters. I will be happy to assist you or direct any inquiries to the responsible staff member in our section. My contact information is listed below. Best of luck as you pursue this endeavor.

Thank you again for your consideration.

--R.N. (Rusty) Harrington, MBA
Manager, Planning and Environmental Section
Virginia Department of Aviation
5702 Gulfstream Road
Richmond, Virginia 23250
(804) 236-3522



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NORFOLK DISTRICT CORPS OF ENGINEERS
FORT NORFOLK 803 FRONT STREET
NORFOLK, VIRGINIA 23510-1096

June 5, 2012

Eastern Virginia Regulatory Section
NAO-1994-01166
Hampton Roads Harbor/Elizabeth River

Mr. John Simkins
Federal Highway Administration
400 North 8th Street, Room 750
Richmond, Virginia 23219

Mr. Chris Collins
Virginia Department of Transportation
1401 E. Broad Street
Richmond, Virginia 23219

Dear Mr. Simkins and Mr. Collins:

This letter is in response to Mr. Collins' letter dated March 8, 2012. It provides the comments of the Norfolk District Corps of Engineers on the Environmental Assessment (EA) that VDOT has prepared on behalf of the FHWA for Segments 1 and 3 only of the Third Crossing project (locally known as "Patriot's Crossing"), in Hampton Roads, Virginia. Segment 1 will consist of a four-lane bridge-tunnel that extends from the I-564 Intermodal Connector in Norfolk, Virginia, across the Hampton Roads Harbor, to the I-664 Monitor Merrimac Memorial Bridge Tunnel (MMMBT); and Segment 3 will consist of a four-lane highway that extends from Segment 1, across the Craney Island Dredge Material Management Area (CIDMMA) and/or the proposed Craney Island Eastward Expansion area, to connect to Virginia Route 164, in Portsmouth, Virginia. VDOT and FHWA are preparing the EA as a re-evaluation of a portion of the Hampton Roads Crossing Study Final Environmental Impact Statement (HRCS FEIS), completed in 2001. The Norfolk District Corps of Engineers is a cooperating agency in the preparation of documents for this project. The current EA indicates that Segments 2, 4, and 5 of the original HRCS FEIS "are not included in the EA because they are not part of this phase of construction."

We were not able to provide comments within the requested deadline of May 9, 2012, due to the need to review both the current EA and the HRCS FEIS, to which the EA frequently refers, as well as the FEIS for the Corps Craney Island Eastward Expansion project, which lies within a portion of the project corridor.

As you know, our regulations require that we consider a full range of public interest factors and conduct an alternatives analysis in order to identify the least environmentally damaging practicable alternative (LEDPA), which is the only alternative we can authorize. The National Environmental Policy Act (NEPA) provides a broad-based approach to impact balancing. However, NEPA does not contain substantive requirements that compel agencies to choose a particular alternative as is required by Section 404(b)(1) of the Clean Water Act. Compliance

with NEPA requirements may not necessarily translate to compliance with the Section 404(b)(1) guidelines during the Section 404 permit process. The HRCS FEIS concludes that the preferred alternative (CBA 9, or the original Third Crossing project) is the only practicable alternative because it is the only alignment that fully meets the project's purpose and need. However, the term, "practicable" means "available and capable of being done after taking into consideration cost, existing technology, and logistics in light of the project purpose." The principal prerequisite to establishing practicability is to establish the purpose of the proposed activity and to apply the above-mentioned practicability factors with the intent of avoiding significant impacts to aquatic resources, and is not necessarily confined to maximizing the project's purpose. Because of the level of design used to evaluate the alternatives previously, we are unable to identify the LEDPA at this time. VDOT must clearly demonstrate that other alternatives are not practicable for reasons of logistics, technology, cost, or other elements of project viability. Failing this, other alternatives may be considered "practicable" for the Section 404 alternatives analysis.

Project Purpose and Traffic Analysis: The EA states that the project purpose from the FEIS remains valid. That was "to develop and analyze intermodal alternatives that can work together to improve accessibility, mobility, and goods movement in the Hampton Roads metropolitan area to help relieve the congestion that occurs at the existing I-64 Hampton Roads Bridge Tunnel (HRBT)."

We have reviewed the Traffic Technical Memo prepared by Baker and Associates dated February 2, 2012, and have the following comments:

- 1) Was the new adjacent rail line from APM Terminals to the I-164 and I-664 corridors considered in the traffic analysis? To what degree does this rail line address the transportation needs to and from the ports? Could it be extended to Craney Island, thus minimizing the footprint of the Segment 3 roadway corridor? Are other rail projects either under consideration or construction that would influence the traffic volumes?
- 2) It is notable on Page 8 of the memo that for the No Build Alternative vs the Build Alternative in Year 2018, while traffic volumes are expected to decrease from 98,900 to 87,400 ADT (-11%) at the HRBT; and from 81,100 to 58,200 ADT (-29%) along I-664 of the Monitor Merrimac Memorial Bridge Tunnel (MMMBT) *south* of Segment 1, they are expected to *increase* from 81,100 to 113,800 (+40%), *north* of Segment 1 on the MMMBT, without any added capacity to the current MMMBT planned. This will result in a peak-hour volume to capacity (v/c) ratio of 1.63 for that section of I-664 (a v/c of 1.0 is considered to be at design capacity.) Therefore, the statement on page 3 of the memo, under "Build Alternative" which states: "The greatest impact as a result of the Build Alternative is seen on I-64....[which] is expected to see a 11% decline" is not accurate: the greatest impact appears to be a 40% *increase* in traffic along the MMMBT, north of Segment 1.

- 3) From a Level of Service (LOS) perspective for the Year 2018, of the 17 roadways studied, (including three proposed roads), for both the No-Build Alternative and the Build Alternative, nine of them would have LOS "F" scores. For the Build Alternative for that year, the only roads whose LOS rating improves are VA 164 (Western Freeway), which is expected to improve from LOS E to LOS D; and the MMMBT south of Segment 1, which is expected to improve from a LOS F to LOS D. In addition, comparing the No-Build to Build Alternative for 2018, of the 14 existing roadway segments studied, seven will see a decrease in v/c ratio, six will see an increase in v/c ratio (with the largest increase being at MMMBT north of Segment 1), and one will stay the same. Finally, for that year, the HRBT would function as an LOS F for both the No-Build and the Build Alternatives, though the Build Alternative would reduce its v/c ratio from 1.45 to 1.29. Therefore, it appears that the proposed project will only minimally improve traffic congestion in the target areas, and will improve it only marginally on the HRBT.
- 4) Most likely, this project cannot be constructed without tolls. However, a toll diversion study was not included as part of the traffic study. This needs to be addressed in the traffic study, because the effects of tolls could alter dramatically traffic patterns and change the outcome of the study.

In terms of the stated purpose and need overall, it appears that the project as proposed may only partially address the stated purpose and need in the original HRCS FEIS. According to the traffic studies for the Years 2018 and 2034, the project will remove 11% and 12%, respectively, of the traffic from the HRBT (again, however, the validity of this is questionable without the toll study). It will improve accessibility for ports, specifically the proposed Craney Island port, NIT, Portsmouth Marine Terminals, and APM Terminals. However, without the intermodal component which originally included an additional tunnel on Segment 1, or any additional rail service on Segment 3, and without knowing when or if the future Segments 2, 4, and 5 of the project will ever be planned or built (which the EA does not address), it is difficult to see how the project as proposed aids in intermodal transportation. In addition, it appears that the benefits of the project will come at the expense of a considerable 40% increase in traffic and congestion on the MMMBT and points north on I-664.

Jurisdictional Determination (JD) for the Project Corridor: The EA indicates that no jurisdictional determination has been done for the parts of Segments 1 and 3 that pass through CIDMMA and through NIT because access to them "was restricted for national security reasons." It acknowledges that impacts to wetlands "may occur" within the Segment 3 footprint on CIDMMA; and the same appears to be true of Segment through NIT. The EA indicates that in 2009, a jurisdictional determination was done for VPA, for the new rail line footprint and the proposed Segment 3 corridor. Please provide the JD to which you refer for Segment 3. In addition, although a full JD for CIDMMA and NIT is not required at this time, VDOT should conduct some ground-truthing on these properties to verify approximate limits of waters of the U.S., including wetlands, in addition to providing the appropriate National Wetland Inventory (NWI) maps and Natural Resources Conservation Service (NRCS) soils mapping for these areas. In order to determine the specific waters of the U.S. and wetland impacts that are required for the

permit process, eventually a full JD must be conducted for our review, for any areas within the proposed roadway corridor for which there is no current valid JD. You may coordinate with our Real Estate and Operations Branches to arrange for access to CIDMMA.

Waters of the U.S. Impacts:

- 1) Subaqueous impacts: The EA does not specify the area of subaqueous bottom and/or intertidal area that will be impacted by dredging for the tunnel or filled for the tunnel island. Instead it states, "water resource impacts were assessed and are similar to the water resource impacts and proposed mitigation reported in the 2001 HRCS FEIS..." In the HRCS FEIS, there are two different tunnel construction design types given. The "benthic habitat" impacts for each were stated as:
 - a) Concrete tunnel design: 15 acres filled for an island, and 44 acres dredged
 - b) Steel tunnel design: 15 acres filled for an island and 49 acres dredged.

With the elimination of the two-lane intermodal tunnel, it would seem that the impacts would be less than previously indicated. Please clarify. In addition, we request that an estimation of the existing depths and Cowardin classifications for all subaqueous impact areas be included in the NEPA document.

- 2) Wetland impacts: The EA indicates that the original alignment for Segment 3 contained 15.7 acres of wetlands. However, the alignment has been shifted to the west and now includes a 500-foot study corridor that contains approximately 35 acres of wetlands. The EA indicates that the alignment had to be shifted to the west to avoid the Coast Guard DGPS Tower, two Coast Guard facilities, and the APM Terminal facilities. Furthermore, it says approximately 14 acres of the wetlands are within the APM property and are currently protected by a deed restriction as mitigation for that project. These stated impacts, of course, do not include areas within CIDMMA and NIT that have not yet been investigated. The EA does not discuss an alternatives analysis nor avoidance and minimization; instead it merely states, "Coordination with the APM Terminal property owners and the appropriate regulatory agencies will be necessary to lift the deed restriction and secure the necessary wetland permits to encroach upon these areas."
- 3) Stream impacts: Neither the EA nor the FEIS indicates whether or not the project would include stream impacts. Please address this in the NEPA document.

Again, a thorough alternatives analysis pursuant to the 404(B)(1) Guidelines would be needed, and we would need to determine that the project's alignment is the Least Environmentally Damaging Practicable Alternative (LEDPA) before we would consider any encroachment into a deed-restricted mitigation site. The road corridor should avoid wetlands and streams to the

extent practicable, particularly tidal systems. Waters of the U.S., including wetlands, that remain within the corridor should be bridged to the extent practicable to further minimize impacts.

Historic Resources: In our letter dated September 19, 2011, we designated FHWA as the lead Federal agency to fulfill the collective Federal responsibilities under Section 106. The EA indicates that coordination with the Virginia Department of Historic Resources is ongoing. We recommend that all documentation and coordination be included in the NEPA document.

Threatened and Endangered Species: It is our understanding that the FHWA has agreed to act as the lead Federal agency for purposes of compliance with Section 7 of the Endangered Species Act (ESA). Therefore, pursuant to 50 CFR 402.07, the Corps authorizes your agency to conduct Section 7 coordination with the U.S. Fish and Wildlife Service (USFWS) on our behalf as well, concerning potential effects to Federally-listed threatened and endangered species. The EA says, "Additional coordination pursuant to Section 7 of the Endangered Species Act would occur with the U.S. Fish and Wildlife Service." We would like to emphasize that as the lead Federal Agency, FHWA is responsible for completing all coordination pursuant to ESA, regardless of whether it occurs during the NEPA process or during the permitting process. In addition, we recommend that all documentation and coordination, including the IPAC determination, be included in the NEPA document.

Essential Fish Habitat: It is our understanding that FHWA has agreed to act as the lead Federal agency for purposes of compliance with Magnuson-Stevens Fishery Conservation and Management Act (MSA). Therefore, pursuant to 50 CFR 600.920(b), the Corps authorizes your agency to conduct MSA consultation with the National Oceanic and Atmospheric Administration (NOAA) Fisheries on our behalf as well, concerning potential effects to Essential Fish Habitat. The EA indicates that additional coordination pursuant to the MSA "will occur during the Section 401 and 404 (of the Clean Water Act) permitting process." Again, we would like to emphasize that as the lead Federal Agency, FHWA is responsible for completing all coordination pursuant to MSA, regardless of whether it occurs during the NEPA process or during the permitting process. In addition, we recommend that all documentation and coordination, be included in the NEPA document.

Navigation: Effects on navigation are not discussed in the EA or the FEIS, but most of the project's footprint is within navigable waters in a very busy harbor. In addition, the project includes a tunnel underneath a Corps-operated Federal Project Channel. You will need to coordinate with our Operations Branch to determine appropriate design depths for the tunnel, design and locations for the tunnel island, and ways to minimize adverse effects on the Federal channel and navigation during construction. In addition, please coordinate with the U.S. Coast Guard early in this process and prior to design, and include all coordination information in the NEPA document. As you know, Coast Guard authorization will be required for all bridging across navigable waters.

Dredge material disposal site: The EA indicates that the disposal site has not changed since the FEIS. The FEIS indicates that between 1,717,913, to 2,214,059 cubic meters (2,246,945 to 2,895,880 cubic yards) will be dredged for the 6-lane tunnels underneath the Elizabeth River channel, and 4,000 to 7,700 cubic meters (5231 to 10,071 cubic yards) would be dredged to

construct the Elizabeth River tunnel island. (Again, presumably these figures would be somewhat less, as the intermodal tunnel is not included in the EA). The FEIS further indicates that the material “may likely be taken to the CIDMMA for disposal.”

However, as per the Norfolk District Commander’s Policy Memorandum WRD-01:

CIDMMA “is for the use of all private interests...accomplishing dredging to support navigation in Norfolk Harbor and adjacent waters. It is intended for the deposit of navigation material dredged from those areas in accordance with House Document No. 563 of the 79th Congress....Material dredged for non-navigation related transportation projects (i.e. bridges and tunnels) will not be accepted unless the material is clean and of a quality needed at CIDMMA for dike construction.”

Disposal of the dredged material represents a major aspect of the project with potential for significant impacts and must be addressed in the NEPA document.

Corps-owned property: As previously stated, “Segment 3” will cross the existing CIDMMA and/or the proposed Craney Island Eastward Expansion area. As part of the alternatives analysis, you must coordinate road alignments, design, and ultimately construction with the Corps Operations Branch early in the process to assure that there will be no adverse effects to operations at the existing CIDMMA or to the ongoing expansion of the facility. A real estate agreement must be negotiated with our Real Estate office for any encroachment onto these areas.

Hydrodynamics study: The EA states that the dredging, hydrodynamics, and sediment modeling described in the HRCS FEIS have not changed. However, the HRCS FEIS study only considered the hydrodynamics effects of the Third Crossing project itself. Since that time, three major projects in the vicinity and within the Hampton Roads Harbor and/or the Elizabeth River have either been completed, are currently underway, or otherwise should be considered “committed”. They are the Corps Craney Island Expansion, the APM Terminals, and the Midtown Tunnel expansion projects, and their hydrodynamic effects would need to be considered in conjunction with the present project and its future segments. In light of these new conditions, the findings of the study for the HRCS FEIS are no longer applicable and would need to be updated.

The Corps’ Craney Island Eastward Expansion project included two hydrodynamics studies: “Three Dimensional Hydrodynamic Modeling Study Craney Island Eastward Expansion, Lower James River and Elizabeth River, Virginia (December 2001)”, and “Additional Assessments of the Craney Island Eastward Expansion in the Elizabeth River and Hampton Roads – Hydrodynamic Model Study (January 2005)”, which were conducted by the Virginia Institute of Marine Science (VIMS) and reviewed by an interagency committee, including Corps hydraulics and hydrology staff. In the Corps’ FEIS, Appendix A “Hydrodynamics Modeling” on page 2, it explains that the studies analyzed the following: tidal range and phase, strength and direction of tidal and tidally-averaged currents, salinity or salinity structure, circulation and flushing ability, and bottom sediment potential. Base conditions in that study consisted of the existing waterway conditions, including: the existing bridge pilings and tunnel islands associated with I-64 and I-664; APM Terminals, with its dredged basin and with ships moored there; and the proposed

Third Crossing project. Specifically, "Option 7" in the Corps' FEIS evaluated the selected alternative of the 580-acre eastward expansion with these base conditions. However, it did not include the effects of the Midtown Tunnel expansion because it was not considered a committed project at that time. But by now, hydrodynamics studies or other analyses may have been completed for the Midtown Tunnel expansion project as well.

Perhaps many of the data and results from these previous studies would be applicable and could be used to reevaluate and update the hydrodynamics study for your project. We recommend that you coordinate with VIMS, Elizabeth River Crossings, the Corps Operations Branch, and others who may have been involved in these studies, to obtain and review them, to determine their applicability to the current project, and to address the cumulative hydrodynamics impacts of all.

Cumulative effects analysis: Council on Environmental Quality (CEQ) regulations require the cumulative impact, or "the incremental impact of past, present, and reasonably foreseeable future impacts" to be considered. These regulations further state that cumulative impacts can result from individually minor but collectively significant actions taken over a period of time.

In addition to cumulative hydrodynamic effects described above, the NEPA document must consider other cumulative environmental impacts, such as impacts to other waters of the U.S., including wetlands. In addition, the cumulative effects assessment should not be limited to including only these three additional projects; the effects of other actions within the watershed should be addressed in the NEPA document as well.

Mitigation: The EA states that the original wetland mitigation site is no longer available, and mitigation will be determined at the permitting phase of the project. However, especially given the potential magnitude of the impacts, and particularly in light of the fact that the acreage of known wetlands within the modified project footprint has more than doubled since the FEIS was completed, some indication of conceptual mitigation should be included at this time. Furthermore, please note that if the Corps eventually concurs that encroachment into the deed-restricted wetland is the LEDPA, wetland mitigation at a higher ratio will likely be required to offset impacts to the deed-restricted wetland, since it is not only wetlands but was also serves as mitigation for another project.

Stream impacts are not mentioned in the EA; it is unclear whether or not the project would impact any and thus would require stream mitigation, but this should be clarified.

The EA mentions that for water resources impacts, mitigation remains the same as in the FEIS. In the FEIS, oyster reef restoration was proposed, and that hard shell clams could be reseeded. It stated that sedimentation could be mitigated using erosion and sediment control measures, water quality monitoring such as was done for the MMMBT project, and that preconstruction sediment quality assessments could be conducted.

However, these measures alone may not be adequate mitigation for the 15 acres of fill and 45-49 acres of dredging of estuarine open water impacts. It might be helpful to refer to the mitigation plan in the Midtown Tunnel expansion project and/or the Corps' Craney Island Expansion FEIS. The Midtown Tunnel project utilized a Habitat Condition Analysis (HCA) which was based on

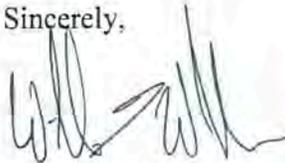
benthos, fish, sediment quality, water quality, submerged aquatic vegetation (SAV), and shellfish. In the Craney Island Expansion FEIS, in order to quantify loss in habitat productivity and provide a mitigation scale, the Corps utilized a Habitat Equivalency Analysis. We recommend that you explore a methodology similar to these to determine the appropriate mitigation for the subaqueous impact areas. We also recommend that you consult with VIMS, VMRC, and NOAA Fisheries regarding this matter.

Finally, in order to ensure that the NEPA document addresses mitigation in accordance with our new regulations, please refer to the Corps/EPA 2008 "Compensatory Mitigation for Losses of Aquatic Resources, Final Rule." A link to this publication is provided:
http://www.epa.gov/owow/wetlands/pdf/wetlands_mitigation_final_rule_4_10_08.pdf

In conclusion, given that eleven years have passed since the FEIS was signed; that other significant impacts have occurred in the watershed since that time; that this project includes potentially 64 acres of subaqueous impact, a project corridor which includes 35 acres of wetlands or more (more than twice as much as originally within the corridor), and dredging and disposal of approximately 2 million cubic yards of material; that the impacts of the remaining Segments 2, 4, 5, which the previous FEIS included may still go forward in the future; and that projects with similar impacts, such as the original MMBT project and the current HRBT study, have previously been and/or are currently being reviewed as EISes; we concur with the Environmental Protection Agency (EPA) that impacts associated with this project are potentially significant. Therefore, this EA with a Finding of No Significant Impact (FONSI), will not be suitable for our purposes. A Supplemental or new EIS should be prepared that addresses all the points outlined in this letter, plus any other updates that need to be made. If FHWA does not determine that impacts are potentially significant and that a Supplemental EIS must be prepared, the Corps will likely have to hire a third-party consultant, at the applicant's expense, to prepare an EIS or Supplemental EIS, if an application is submitted for any portion of the Third Crossing project. We also encourage you to conduct a thorough alternatives analysis as part of your current study to avoid future delays and repetition of effort, particularly given the extent of time that has passed since your prior studies. An alternatives analysis sufficient for the Corps to make a determination of the LEDPA is required in order to make a permit decision.

Thank you for the opportunity to comment. If you have any questions concerning our comments, please contact Ms. Kathy Perdue at 757-201-7218 or kathy.s.perdue@usace.army.mil.

Sincerely,



William T. Walker
Chief, Regulatory Branch



COUNCIL OFFICE:
757-727-6315

GEORGE E. WALLACE, MAYOR
22 LINCOLN STREET
HAMPTON, VIRGINIA 23669

ENVIRONMENTAL DIVISION OFFICE FAX:
757-728-3037

July 17, 2015

Scott Smizik
Location Studies Project Manager
Virginia Department of Transportation
Environmental Division
1401 East Broad Street
Richmond, Virginia 23219

Dear Mr. Smizik,

I would like to thank you for inviting the City of Hampton to participate in the Hampton Roads Crossing study. As you know, Hampton sits at the beginning of the Hampton Roads beltway and experiences the daily traffic challenges associated with crossing Hampton Roads. This project will have a significant impact on the quality of life of our citizens and visitors, and on the local economy.

We greatly appreciate your invitation and would be honored to participate.

Feel free to contact me with any questions

Sincerely,

George E. Wallace
Mayor

"Oldest Continuous English-Speaking Settlement in America - 1610"

council@hampton.gov
gwallace@hampton.gov

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
United States Coast Guard
Fifth Coast Guard District

431 Crawford Street
Portsmouth, Va. 23704-5004
Staff Symbol: (dph)
Phone: 757-398-6587
Fax: 757-398-6334
Email: Terrance.A.Knowles@uscg.mil

16590
08 JUL 2015

Mr. Edward Sundra
Director of Program Development
U.S. Department of Transportation
Federal Highway Administration
400 North 8th Street, Rm 750
Richmond, VA 23219-4825

RECEIVED
FEDERAL HIGHWAY ADMINISTRATION

JUL 14 2015

VIRGINIA DIVISION OFFICE
RICHMOND, VIRGINIA

Dear Mr. Sundra:

This is in response to your June 18, 2015 letter requesting that the U.S. Coast Guard Fifth District (USCG) become a cooperating agency in the preparation of a Supplemental Environmental Impact Statement (SEIS) for the Hampton Roads Crossing Study in Hampton Roads, VA.

USCG supports the Federal Highway Administration's decision to prepare an SEIS on this project and agrees to be a cooperating agency during this process; in accordance with USCG National Environmental Policy Act Implementing Procedures, and the Council on Environmental Quality's Regulations (40 CFR 1500-1508).

If you have any further questions, please contact Terrance Knowles at the above listed telephone or email address.

Sincerely,

A handwritten signature in blue ink that reads "Hal R. Pitts".

HAL R. PITTS
Bridge Program Manager
By direction of the Commander
Fifth Coast Guard District

June 30, 2015

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, VA 23219

RE: HR Crossing Study (HRCS) Supplemental Environmental Impact Statement (SEIS)

Dear Mr. Smizik:

Thank you for your letter of June 19, 2015 regarding the Preparation of a Supplemental Environmental Impact Statement (SEIS) for the Hampton Roads Crossing Study (HRCS). This SEIS process is very important to the HRTPO and the region. We appreciate and accept your invitation to be a participating agency in the development of the SEIS for the HRCS. Our responses to the enclosed location study map and the questions attached to the letter are as follows:

In response to your request "please review the enclosed map and provide comments on any issues...within the project area", our comments follow:

- Given a) that your stated purpose is to address issues related to "the project", and b) the map shows three candidate projects; please clarify what "the project" is, i.e. is it the ROD project (Third Crossing / alt. 9), is it the three mapped candidates, is it the 11 HRCS candidates, or does it include any candidate that meets the stated purpose and need?
- By showing roads that, in reality, intersect at right angles as intersecting at acute angles, the Study Location Map inadvertently implies that the proposed interchanges are merge/diverges as opposed to fully-directional interchanges. For example, from the map it appears that one could not drive from NIT on the Patriots Crossing and proceed southbound on I-664.

Concerning your request for input on the attached 5 questions, our responses follow:

1. *Study Area boundary parameters*

- a. We suggest you consider and examine the entire highway transportation system in Hampton Roads.

2. *Reports and data sources*

- a. Our numerous reports related to the harbor crossing can be found at <http://www.hrtpo.org/page/technical-reports/>
- b. Key reports:
 - i. CMP <http://www.hrtpo.org/uploads/docs/CMP%20Report%20Final%20Version.pdf>
 1. See particularly page viii.
 - ii. Freight <http://www.hrtpo.org/uploads/docs/Positioning%20OHR%20for%20Freight%20Infrastructure%20Funding%20-%20Final%20Report.pdf>
 1. See particularly page 34.
 - iii. Safety <http://www.hrtpo.org/uploads/docs/HR%20Regional%20Safety%20Study%202013-2014%20PART%20II%20Final%20Report.pdf>
 1. See particularly page 24.
 - iv. Military <http://www.hrtpo.org/uploads/docs/Military%20Transportation%20Needs%20-%20Highway%20Network%20Analysis%20Final%20Report.pdf>
 1. See particularly page 28.
 - v. Tolls <http://www.hrtpo.org/uploads/docs/final%20toll%20study%20report.pdf> (particularly page 1-6)
<http://www.hrtpo.org/uploads/docs/final%20toll%20study%20addendum.pdf> (particularly page 2-5)
<http://www.hrtpo.org/uploads/docs/final%20toll%20studyappendices.pdf>

3. *Socio-economic and Environmental Justice data*

- a. No “snapshot of recent economic and social data” was provided “as part of this scoping package”.
- b. See our recent census historical data <http://www.hrtpo.org/uploads/docs/Historical%20Analysis%20of%20Census%20Transportation%20Data.pdf>
- c. The HRCS SEIS has the potential of having a major social and economic impact on the region as whole and on EJ communities throughout Hampton

Mr. Scott Smizik
June 30, 2015
Page 3

Roads. The study area itself is very large, and as such, public involvement efforts should be accelerated and diligent in their inclusion of EJ communities and the assessment of potential impacts, both beneficial and detrimental. It is suggested that a closer view be taken of Census data and that a better picture would be painted, by viewing Census data for these communities, at the block level rather than the census tract level. The HRTPO facilitates an Environmental Justice Roundtable and offers that roundtable as a vetting vehicle for VDOTs public involvement and EJ efforts. HRTPO staff who are subject matter experts on Environmental Justice and Public Involvement are available to attend scoping meetings and to act as a resource if appropriate, on particular elements of this process as well.

4. *Planned projects*

- a. See 2034 LRTP
<http://www.hrtpo.org/page/2034-long-range-transportation-plan/>
- b. See 2040 LRTP- Draft List of Projects
<http://www.hrtpo.org/page/2040-long-range-transportation-plan/>
- c. See 2015 TIP
<http://www.hrtpotip.org/>
- d. See HRTPO approval of HRTF projects
[http://www.hrtpo.org/uploads/images/HRTF Candidate Project Map noco st.jpg](http://www.hrtpo.org/uploads/images/HRTF_Candidate_Project_Map_noco_st.jpg)

5. *Any other comments* No comment.

Thank you for the opportunity to comment on the SEIS Project. We look forward to working with you on this regionally significant project. If you have any additional questions please do not hesitate to contact me.

Sincerely,



Camelia Ravanbakht, Ph.D
HRTPO Interim Executive Director

RBC/jc

Copy: McKinley Price, HRTPO Chair
Linda T. Johnson, HRTPO Vice Chair



City of Virginia Beach

VBgov.com

OFFICE OF THE CITY MANAGER
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FAX (757) 427-5626

MUNICIPAL CENTER
BUILDING 1
2401 COURTHOUSE DRIVE
VIRGINIA BEACH, VA 23456-9001

June 29, 2015

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, VA 23219

Re: Hampton Roads Crossing Study Supplemental Environment Impact Statement

Dear Mr. Smizik:

Thank you for the opportunity for the City Of Virginia Beach to comment on, and be involved with, the Hampton Roads Crossing Study Supplemental Environment Impact Statement. This (SEIS) process is very important to the region, and the City of Virginia Beach.

We greatly appreciate and accept your invitation to become a Participating Agency in the development of the SEIS for the subject project. The timely movement of people, goods, and services throughout the region and beyond is vitally important to the City. Our responses to the questions that were attached to your letter are as follows:

1. What parameters, if any, would you recommend be used for establishing a study area boundary in which to analyze the indirect effects and cumulative impacts to potentially affected resources?

We suggest that you examine the highway transportation system in Hampton Roads in its entirety. This would include I-64, I-664, I-264, Routes 58-13-17, the Chesapeake Bay Bridge Tunnel, and the proposed Southeastern Parkway and Greenbelt. Incorporating these roadways as the study area boundary will serve the best interest of assuring a comprehensive review of this proposed transportation project. For instance, Route 17 improvements currently being implemented by the City of Chesapeake, enhances the effort between the states of Virginia and North Carolina to create an interstate type connector roadway between Raleigh and Hampton Roads. This project could use either Route 17 or Route 13 Corridor, and would impact the entire regions' future networks.

2. Planning judgement is a structured process that will be used as part of this study to analyze and forecast potential indirect effects and cumulative impacts. Does your agency possess any reports, data sources, or expert input that you recommend be used to inform the use of planning judgement in this study? Additionally, any other tools or resources that your agency might be able to provide to aid in the identification of indirect and cumulative impacts would be appreciated and considered.

We suggest the following: the Comprehensive Plan for the City of Virginia Beach (update is currently underway) including an update to the City's Master Transportation Plan. The 2034 adopted Long Range Transportation Plan for the Hampton Roads Transportation Planning Organization (HRTPO), the draft 2040 Long Range Transportation Plan for the HRTPO, reports from the Ports of Virginia, including the proposed buildout of the Craney Island area, and the work that was previously done and is currently underway by the Old Dominion University Modeling Simulation Center (ODU VMASC). Several years ago Old Dominion engaged in a computer modeling evaluation of the Third Crossing and Hampton Roads Bridge Tunnel. Currently, the cities of Virginia Beach and Chesapeake are having VMASC create macro and micro transportation modeling of the road networks in both cities. A preliminary draft of this new work will be available in mid-summer with the final work to be finished by the end of the calendar year.

3. As part of this scoping package we have provided a snapshot of recent economic and social data from the United States Census Bureau, we seek your concurrence that this data reflects your current jurisdictional population profile. Additionally, please identify locations in the study area where environmental justice populations may exist, or groups that interact with these environmental justice populations.

Although the Census document is considered to be somewhat the standard for utilization, we call your attention to the recent Regional Benchmarking Report that was approved for publication by the Hampton Roads Planning District Commission. This document looks at more than 150 data points for the region.

In regards to identified environmental justice populations, we do not have any identified within the City of Virginia Beach.

4. What are the current planned projects within your jurisdiction/ study area? Are there public documents / permits that estimate impacts of these projects?

I call your attention to the projects that are in the work plan for the Hampton Roads Transportation Accountability Commission as listed below.

- I-264/I-64 interchange Improvements
- I-64 Widening Segment 1 (Exit 255 to Exit 247)
- I-64 Widening Segment 2 (Exit 247 to Exit 242)
- I-64 Widening Segment 3 (Exit 242 to Exit 234)
- Fort Eustis Interchange (Exit 250)

Development Activities

- Patriots Crossing Environmental (SEIS)
- High-Rise Bridge Environmental and Preliminary Engineering

Additional possible projects

- Completion of EIS/PE work on I-264/I-64 interchange
- EIS/PE on the route 460 connector: Route 58/Route 13/Route 460

I would again refer you to the work of the Port of Virginia for their build out plan for the Craney Island Terminal and also use/reuse of Norfolk International Terminal (NIT) and Portsmouth International Terminal (PIT).

The Extension of the Tide Light Rail project into the City of Virginia Beach.

The Southeastern Parkway/Greenbelt (as mentioned above), and the proposed expansion for the Chesapeake Bay Bridge and Tunnel (CBBT).

5. Please provide any other comments or feedback that you feel may be beneficial to the development of this study.

One important fact to consider since the EIS was previously completed on this project is the creation of the Hampton Roads Transportation Accountability Commission and the Regional revenue available for potential projects. Also, the enhanced utilization of tolls throughout the nation, and certainly in Virginia, as well as the utilization of public/private transportation projects as allowed under Virginia Code.

Again, thank you for the opportunity to comment on the SCIS, and please note that we will be actively involved in this process as it moves forward.

Sincerely,



James K. Spore

JKS/RRM/cj

c: Mayor and Members of Council
Management Leadership Team
Robert R. Matthias, Assistant to the City Manager
Phillip A. Davenport, Director of Public Works

Zimbra

rwoody@rkk.com

FW: Hampton Roads Crossing Study - NRCS response

From : Scott Smizik (VDOT) <Scott.Smizik@vdot.virginia.gov> Wed, Jun 24, 2015 07:49 AM
Subject : FW: Hampton Roads Crossing Study - NRCS response  1 attachment
To : Ricky Woody <rwoody@rkk.com>

From: Hammer, Greg - NRCS, Chesapeake, VA [mailto:Greg.Hammer@va.usda.gov]
Sent: Wednesday, June 24, 2015 7:47 AM
To: Smizik, Scott (VDOT)
Cc: Williams, Robert - NRCS, Chesapeake, VA; Harper, John - NRCS, Richmond, VA
Subject: Hampton Roads Crossing Study - NRCS response

Scott,

NRCS has no comment in regards to VDOT Project # 0064-965-081

Greg Hammer
NRCS, Soil Scientist
Office: 757-547-7172 x107
Cell: 804-683-4189
Fax: 757-436-0285

You can help the Area IV staff improve our service by clicking [here](#) to provide feedback directly to the ASTC-FO.

 **715-HamptonRdCrossingStudy.pdf**
3 MB

Zimbra

rwoody@rkk.com

FW: Hampton Roads Crossing Study UPC: 106724

From : Scott Smizik (VDOT) <Scott.Smizik@vdot.virginia.gov> Wed, Jun 24, 2015 10:36 AM
Subject : FW: Hampton Roads Crossing Study UPC: 106724  1 attachment
To : Ricky Woody <rwoody@rkk.com>

From: Hallock-Solomon, Michael (VOF)
Sent: Wednesday, June 24, 2015 10:34 AM
To: Smizik, Scott (VDOT)
Cc: Little, Martha (VOF); Baskette, Bradford (VOF)
Subject: Hampton Roads Crossing Study UPC: 106724

Mr. Smizik,

The Virginia Outdoors Foundation has reviewed the three alternatives presented in the project referenced above and described in the attached letter and map. As of 24 June 2015, there are not any existing nor proposed VOF open-space easements within the immediate vicinity of the CBA-1, CBA-2 or CBA-9 corridors as shown on the attached map.

Please contact VOF again for further review if the project area changes or if this project does not begin within 24 months. Thank you for considering conservation easements.

Thanks,
Mike

Mike Hallock-Solomon, AICP
GIS/IT Specialist
Virginia Outdoors Foundation
600 E. Main St., Suite 402
Richmond, VA 23219
(804) 371-0114 office
(804) 337-9780 cell
(804) 225-3236 fax

 **vdot HR crossing study.pdf**
417 KB



**DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 633D AIR BASE WING
JOINT BASE LANGLEY-EUSTIS VA**

**OFFICE OF THE COMMANDER
125 Mabry Avenue
Langley AFB VA 23665**

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond VA 23219

Dear Mr. Smizik

Joint Base Langley-Eustis (JBLE) conducted a thorough review of the Hampton Roads Crossing Study. We see no issues or concerns regarding human or natural resources under JBLE's jurisdiction with respect to the project.

We greatly appreciate the offer to become a Cooperating Agency for this study. Due to minimal environmental impact to JBLE, we respectfully decline.

If you have any questions, please contact Mr. David Jennings of the 633d Civil Engineer Squadron at (757) 764-1082.

Sincerely

**MILLER.CAROLIN
E.M.1155078711**

Digitally signed by
MILLER.CAROLINE.M.1155078711
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,
ou=USAF, cn=MILLER.CAROLINE.M.1155078711
Date: 2015.08.17 17:30:26 -0400

**CAROLINE M. MILLER, Colonel, USAF
Commander**